

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, DECEMBER 1, 2014**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:04 p.m. on Monday, December 1, 2014, with Councillor Lewis presiding.

Councillor Jackson led the opening prayer and invited all present to join her in the Pledge of Allegiance to the Flag.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

28 PRESENT: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty, Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Tew
1 ABSENT: Holliday

A quorum of twenty-eight members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

President Lewis introduced new Council members, Kip Tew and Stephen Clay. Councillor Lutz recognized former Councillor Steve Talley and pre-k advocate Robert Smith, with Eli Lilly Foundation. Councillor Barth asked all those in attendance in support of Proposal No. 367, 2014, the pre-k proposal, to stand and be recognized. Councillor McQuillen recognized Tom Little, Perry Township School Superintendent. Councillor Hickman recognized Deputy Mayor Jason Kloth and Brandon Brown, Office of Education Innovation. Councillor Miller recognized Hannah Merkle of the United Way. Councillor Adamson recognized County Auditor Billie Breaux and State Senator Jean Breaux. Councillor Osili recognized Reverend Melvin Girton. Councillor Cain recognized northeast siders Brian and Jill Hall and Jim Zink. Councillor Sandlin recognized business owner on the south side Dick Turner. Councillor Clay recognized members of the Concerned Clergy in attendance. Councillor Gray recognized community leader George

Benson. Councillor Simpson recognized Reverend Anne Byfield and Reverend Green, the new chair of the American Red Cross Board. Councillor Adamson recognized eastside land use activist David Hill. Councillor Robinson recognized Senator Greg Taylor and all those in support of the homeless initiative proposal. Councillor Oliver recognized Angie Smith and Center Township Constable Tony Duncan.

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journals of November 10, 2014. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 390, 2014. The proposal, sponsored by Councillor Oliver, recognizes Keep Indianapolis Beautiful, Inc. and the Youth Tree Team program. Councillors Oliver and Adamson read the proposal and presented representatives with copies of the document and Council pins. Rufus Myers, MacKenzie Glover, Esmes Brown, and Ned Brockmeyer of Keep Indianapolis Beautiful thanked the Council for the recognition. Councillor Oliver moved, seconded by Councillor Adamson, for adoption. Proposal No. 390, 2014 was adopted by a unanimous voice vote.

Proposal No. 390, 2014 was retitled SPECIAL RESOLUTION NO. 57, 2014, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 57, 2014

A SPECIAL RESOLUTION recognizing Keep Indianapolis Beautiful, Inc. and the Youth Tree Team program.

WHEREAS, Keep Indianapolis Beautiful, Inc. (KIB) sees a vibrant city with every neighborhood landscape thriving, resulting in a city that is defined by its strong neighborhoods, inspiring places, and a clean, flourishing environment; and

WHEREAS, since 1976, KIB has helped its neighbors plant more than 40,000 trees and has been supported by more than 1,000 individual donors towards those efforts. Each year, KIB, a 501c(3) private, not-for-profit organization, supports an average of 500 community improvement projects with more than 30,000 volunteers; and has worked with neighborhoods, the public sector, and Indianapolis community groups and businesses to achieve their vision for a beautiful city; and

WHEREAS, a program within KIB that is geared toward the youth, the Youth Tree Team (YTT) is a seven-week summer job initiative for high school students who are interested in improving their community through tree care; and

WHEREAS, the YTT program seeks to promote professionalism, respect, personal and environmental responsibility, and teamwork in today's high school students. The students in the program work to preserve and maintain the trees KIB plants throughout the Community Forestry program; and

WHEREAS, during the program the YTT participates in weekly enrichment activities including participating in a wilderness camping trip, learning financial management skills, networking with green-collar professionals, and rafting on the White River. All of this combined with hard work helps to connect Indy youth to the environment and each

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other, fostering a commitment to service and cultivating lasting friendships and a connection to their community; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes Keep Indianapolis Beautiful, Inc. and the Youth Tree Team program.

SECTION 2. The Council sincerely thanks KIB and YTT for their selfless dedication to keeping the city beautifully vibrant and full of life.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 391, 2014. The proposal, sponsored by All Councillors, recognizes the public service of Councillor Brian Mahern. Councillor Hickman read the proposal and presented former Councillor Mahern with a copy of the document and Council pin. Mr. Mahern thanked the Council for the recognition. Councillor Hickman moved, seconded by Councillor Mascari, for adoption. Proposal No. 391, 2014 was adopted by a unanimous voice vote.

Proposal No. 391, 2014 was retitled SPECIAL RESOLUTION NO. 58, 2014, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 58, 2014

A SPECIAL RESOLUTION recognizing the public service of Councillor Brian Mahern.

WHEREAS, a free nation rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

WHEREAS, the pursuit and achievement of elective office with its attendant commitments of self, time, and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, City-County Councillor Brian Mahern has, with integrity and sincerity, served his constituents and the people of Indianapolis well from 2008 through 2014; and

WHEREAS, Councillor Mahern served on the following Committees: Community Affairs; Economic Development; Metropolitan Development; Ethics; Public Works; Municipal Corporations; and Rules and Public Policy, where he served as Chair from 2012 to 2013; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the six (6) years of dedicated service given by Councillor Brian Mahern as a member of the Council.

SECTION 2. On behalf of the citizens of Indianapolis, the Council extends its appreciation and gratitude to Councillor Mahern, and encourages him to remain an active participant in the life of this community.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 392, 2014. The proposal, sponsored by All Councillors, recognizes the public service of Councillor Steve Talley. Councillor Jackson read the proposal and presented former Councillor Talley with a copy of the document and Council pin. Mr. Talley thanked the Council

for the recognition. Councillor Jackson moved, seconded by Councillor McQuillen, for adoption. Proposal No. 392, 2014 was adopted by a unanimous voice vote.

Proposal No. 392, 2014 was retitled SPECIAL RESOLUTION NO. 59, 2014, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 59, 2014

A SPECIAL RESOLUTION recognizing the public service of Councillor James “Steve” Talley.

WHEREAS, a free nation rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

WHEREAS, the pursuit and achievement of elective office with its attendant commitments of self, time, and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, with integrity and sincerity, City-County Councillor Steve Talley first served his constituents and the people of Indianapolis well from 1995 resigning in 2006; and continuing his service to his constituents by returning to the Council from 2012 through 2014; and

WHEREAS, upon his return to the Council, Councillor Talley served on the following Committees: Municipal Corporations; Rules and Public Policy; Public Safety and Criminal Justice; and Metropolitan and Economic Development, where he Chair from 2012 to 2013; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the 13 years of dedicated service given by Councillor Steve Talley as a member of the Council.

SECTION 2. On behalf of the citizens of Indianapolis, the Council extends its appreciation and gratitude to Councillor Talley, and encourages him to remain an active participant in the life of this community.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Mansfield reported that the Administration and Finance Committee heard Proposal Nos. 319-321, 2014 on November 18, 2014. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 319, 2014. The proposal, sponsored by Councillors Lewis, Barth and Gray, reappoints Pamela Hickman to the City-County Internal Audit Committee. PROPOSAL NO. 320, 2014. The proposal, sponsored by Councillors Lewis, Barth and Gray, reappoints Patricia Polis McCrory to the City-County Internal Audit Committee. PROPOSAL NO. 321, 2014. The proposal, sponsored by Councillors Lewis, Barth and Gray, reappoints Jack Sandlin to the City-County Internal Audit Committee. By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Mansfield moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 319, 2014 was adopted on the following roll call vote; viz:

27 YEAS: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Tew

0 NAYS:

1 NOT VOTING: Oliver

1 ABSENT: Holliday

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Proposal No. 319, 2014 was retitled COUNCIL RESOLUTION NO. 84, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 84, 2014

A COUNCIL RESOLUTION reappointing Pamela Hickman to the City-County Internal Audit Committee.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the City-County Internal Audit Committee, the Council reappoints:

Pamela Hickman

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2015. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 320, 2014 was retitled COUNCIL RESOLUTION NO. 85, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 85, 2014

A COUNCIL RESOLUTION reappointing Patricia Polis McCrory to the City-County Internal Audit Committee.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the City-County Internal Audit Committee, the Council reappoints:

Patricia Polis McCrory

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2015. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 321, 2014 was retitled COUNCIL RESOLUTION NO. 86, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 86, 2014

A COUNCIL RESOLUTION reappointing Jack Sandlin to the City-County Internal Audit Committee.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the City-County Internal Audit Committee, the Council reappoints:

Jack Sandlin

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2015. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal Nos. 324-327 and 329-332, 2014 on November 17, 2014. He asked for consent to vote on Proposal Nos. 324-326, 2014 together. Consent was given.

PROPOSAL NO. 324, 2014. The proposal, sponsored by Councillors Robinson, Lewis, Barth and Gray, reappoints Anthony J. Bridgeman to the Board of Code Enforcement. PROPOSAL NO. 325, 2014. The proposal, sponsored by Councillors Robinson, Lewis, Barth, Gray and Adamson, reappoints Mary Clark to the Metropolitan Board of Zoning Appeals, Division I. PROPOSAL NO. 326, 2014. The proposal, sponsored by Councillors Robinson, Lewis, Barth and Gray, reappoints T.D. Robinson to the Metropolitan Board of Zoning Appeals, Division I. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Mansfie moved, seconded by Councillor Talley, for adoption. Proposal No. 30, 2014 was adopted on the following roll call vote; viz:

27 YEAS: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Tew
1 NOT VOTING: Oliver
1 ABSENT: Holliday

Proposal No. 324, 2014 was retitled COUNCIL RESOLUTION NO. 87, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 87, 2014

A COUNCIL RESOLUTION reappointing Anthony J. Bridgeman to the Board of Code Enforcement.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Code Enforcement, the Council reappoints:

Anthony J. Bridgeman

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2015. The person appointed by this resolution shall serve at the pleasure of the Council and until his successor is appointed and qualifies, unless the duration of the holdover period for this office is limited by statute.

Proposal No. 325, 2014 was retitled COUNCIL RESOLUTION NO. 88, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 88, 2014

A COUNCIL RESOLUTION reappointing Mary Clark to the Metropolitan Board of Zoning Appeals, Division I.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Board of Zoning Appeals, Division I, the Council reappoints:

Mary Clark

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2015. The person appointed by this resolution shall serve at the pleasure of the Council and until his successor is appointed and qualifies unless the duration of the holdover period for this office is limited by statute.

Proposal No. 326, 2014 was retitled COUNCIL RESOLUTION NO. 89, 2014, and reads as follows:

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CITY-COUNTY COUNCIL RESOLUTION NO. 89, 2014

A COUNCIL RESOLUTION reappointing T. D. Robinson to the Metropolitan Board of Zoning Appeals, Division I.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Board of Zoning Appeals, Division I, the Council reappoints:

T. D. Robinson

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2015. The person appointed by this resolution shall serve at the pleasure of the Council and until his successor is appointed and qualifies unless the duration of the holdover period for this office is limited by statute.

PROPOSAL NO. 327, 2014. The proposal, sponsored by Councillors Lewis, Barth, Robinson and Gray, reappoints Tamara Brown to the Metropolitan Board of Zoning Appeals, Division II. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Robinson moved, seconded by Councillor Moriarty Adams, to strike. Proposal No. 327, 2014 was stricken by a unanimous voice vote.

PROPOSAL NO. 329, 2014. The proposal, sponsored by Councillors Robinson, Lewis, Barth and Gray, reappoints Jennifer Keefe to the Metropolitan Board of Zoning Appeals, Division III. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Robinson moved, seconded by Councillor McQuillen, for adoption. Proposal No. 30, 2014 was adopted on the following roll call vote; viz:

27 YEAS: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Tew

0 NAYS:

1 NOT VOTING: Oliver

1 ABSENT: Holliday

Proposal No. 329, 2014 was retitled COUNCIL RESOLUTION NO. 90, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 90, 2014

A COUNCIL RESOLUTION reappointing Jennifer Keefe to the Metropolitan Board of Zoning Appeals, Division III.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Board of Zoning Appeals, Division III, the Council reappoints:

Jennifer Keefe

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2015. The person appointed by this resolution shall serve at the pleasure of the Council and until his successor is appointed and qualifies unless the duration of the holdover period for this office is limited by statute.

PROPOSAL NO. 330, 2014. The proposal, sponsored by Councillors Robinson, Lewis, Barth and Gray, reappoints Jesse Lynch to the Metropolitan Board of Zoning Appeals, Division III. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it

be stricken. Councillor Robinson moved, seconded by Councillor Moriarty Adams, to strike. Proposal No. 330, 2014 was stricken by a unanimous voice vote.

Councillor Robinson asked for consent to vote on Proposal Nos. 331 and 332, 2014 together. Consent was given.

PROPOSAL NO. 331, 2014. The proposal, sponsored by Councillors Robinson, Lewis, Barth and Gray, reappoints Lena Hackett to the Metropolitan Development Commission. PROPOSAL NO. 332, 2014. The proposal, sponsored by Councillors Robinson, Lewis, Barth and Gray, reappoints Adam Kirsch to the Metropolitan Development Commission. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Robinson moved, seconded by Councillor Simpson, for adoption. Proposal Nos. 331 and 332, 2014 were adopted on the following roll call vote; viz:

28 YEAS: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Tew
0 NAYS:
1 ABSENT: Holliday

Proposal No. 331, 2014 was retitled COUNCIL RESOLUTION NO. 91, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 91, 2014

A COUNCIL RESOLUTION reappointing Lena Hackett to the Metropolitan Development Commission.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Development Commission, the Council reappoints:

Lena Hackett

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2015. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 332, 2014 was retitled COUNCIL RESOLUTION NO. 92, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 92, 2014

A COUNCIL RESOLUTION reappointing Adam Kirsch to the Metropolitan Development Commission.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Development Commission, the Council reappoints:

Adam Kirsch

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2015. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

PROPOSAL NO. 341, 2014. Councillor Oliver reported that the Parks and Recreation Committee heard Proposal No. 341, 2014 on November 13, 2014. The proposal, sponsored by Councillors Oliver, Lewis, Barth and Gray, reappoints Joseph Wynns to the Board of Parks and Recreation. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Oliver moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 341, 2014 was adopted on the following roll call vote; viz:

28 YEAS: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Tew
0 NAYS:
1 ABSENT: Holliday

Proposal No. 341, 2014 was retitled COUNCIL RESOLUTION NO. 93, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 93, 2014

A COUNCIL RESOLUTION reappointing Joseph Wynns to the Board of Parks and Recreation.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Parks and Recreation, the Council reappoints:

Joseph Wynns

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2015. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 343, 346 and 348, 2014 on November 12, 2014. She asked for consent to vote on Proposal Nos. 343 and 346, 2014 together. Consent was given.

PROPOSAL NO. 343, 2014. The proposal, sponsored by Councillors Moriarty Adams, Lewis, Barth and Gray, reappoints Eric Durrett to the Juvenile Detention Center Advisory Board. PROPOSAL NO. 346, 2014. The proposal, sponsored by Councillors Moriarty Adams, Lewis, Barth and Gray, reappoints Philip Abrams to the Citizens Police Complaint Board. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Moriarty Adams moved, seconded by Councillor Oliver, for adoption. Proposal Nos. 343 and 346, 2014 were adopted on the following roll call vote; viz:

28 YEAS: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Tew
0 NAYS:
0 NOT VOTING:
1 ABSENT: Holliday

Proposal No. 343, 2014 was retitled COUNCIL RESOLUTION NO. 94, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 94, 2014

A COUNCIL RESOLUTION reappointing Eric Durrett to the Juvenile Detention Center Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Juvenile Detention Center Advisory Board, the Council reappoints:

Eric Durrett

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2017. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 346, 2014 was retitled COUNCIL RESOLUTION NO. 95, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 95, 2014

A COUNCIL RESOLUTION reappointing Philip Abrams to the Citizens Police Complaint Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Citizens Police Complaint Board, the Council reappoints:

Philip Abrams

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2017. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

PROPOSAL NO. 348, 2014. The proposal, sponsored by Councillors Lewis, Moriarty Adams, Barth and Gray, reappoints Stephen J. Clay to the Metropolitan Police Department Merit Board. Councillor Moriarty Adams said that in light of the fact that Mr. Clay has recently been elected to fill a vacant Council seat, the proposal will need to be stricken. She moved, seconded by Councillor Adamson, to strike. Proposal No. 348, 2014 was stricken by a unanimous voice vote.

Councillor Adamson reported that the Public Works Committee heard Proposal Nos. 350 and 351, 2014 on November 20, 2014. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 350, 2014. The proposal, sponsored by Councillors Adamson, Lewis, Barth and Gray, reappoints Neil Bloede to the Board of Public Works. PROPOSAL NO. 351, 2014. The proposal, sponsored by Councillors Adamson, Gray, Lewis and Barth, reappoints Gregory Garrett to the Board of Public Works. By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Adamson moved, seconded by Councillor Gray, for adoption. Proposal Nos. 350-351, 2014 were adopted on the following roll call vote; viz:

28 YEAS: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Tew

0 NAYS:

1 ABSENT: Holliday

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Proposal No. 350, 2014 was retitled COUNCIL RESOLUTION NO. 96, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 96, 2014

A COUNCIL RESOLUTION reappointing Neil Bloede to the Board of Public Works.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Public Works, the Council reappoints:

Neil Bloede

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2015. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 351, 2014 was retitled COUNCIL RESOLUTION NO. 97, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 98, 2014

A COUNCIL RESOLUTION reappointing Gregory Garrett to the Board of Public Works.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Public Works, the Council reappoints:

Gregory Garrett

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2015. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

PROPOSAL NO. 366, 2014. Councillor Barth reported that the Rules and Public Policy Committee heard Proposal No. 366, 2014 on November 11, 2014. The proposal, sponsored by Councillors Lewis, Barth and Gray, reappoints Barbara Howard to the Alcoholic Beverage Board of Marion County. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Barth moved, seconded by Councillor Mansfield, for adoption. Proposal No. 366, 2014 was adopted on the following roll call vote; viz:

28 YEAS: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Tew

0 NAYS:

1 ABSENT: Holliday

Proposal No. 366, 2014 was retitled COUNCIL RESOLUTION NO. 98, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 97, 2014

A COUNCIL RESOLUTION reappointing Barbara Howard to the Alcoholic Beverage Board of Marion County.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Alcoholic Beverage Board of Marion County, the Council reappoints:

Barbara Howard

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2015. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 374, 2014. Introduced by Councillors Adamson, Gooden, Miller, Moriarty Adams and Osili. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which authorizes the issuance of one or more series of economic development tax increment revenue bonds in an amount not to exceed \$18,500,000 for Angie's List, Inc. to provide for the acquisition of the existing 176,000 square foot former Ford Manufacturing site; relocation of the Indianapolis Public Schools facility currently on the property; design, construction, renovation, improvement and equipping of a multi-story parking garage facility; and all acquisition, construction, demolition, renovation, excavation, utility relocation, and equipping of such projects, including streetscaping and landscaping (District 16) "; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 375, 2014. Introduced by Councillors Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Christopher Smith to the Telecom and Video Services Agency Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 376, 2014. Introduced by Councillors Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints John Lewis to the Metropolitan Development Commission"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 377, 2014. Introduced by Councillors Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Susan Williams to the Indianapolis Historic Preservation Commission"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 378, 2014. Introduced by Councillors Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Russell Brown to the Ft. Benjamin Harrison Reuse Authority"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 379, 2014. Introduced by Councillors Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which nominates Zach Little for appointment to the Beech Grove Economic Development Commission"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 380, 2014. Introduced by Councillors Lewis, Barth, Gray and Sandlin. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which nominates Phil Christy for appointment to the Southport Economic Development Commission"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 381, 2014. Introduced by Councillors Moriarty Adams, Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Stacie Hurre to the Animal Care and Control Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 382, 2014. Introduced by Councillors Moriarty Adams, Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Christian Mosburg to the Animal Care and Control Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 383, 2014. Introduced by Councillors Moriarty Adams, Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Brian Tuohy to the Marion County Public Defender Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 384, 2014. Introduced by Councillors Barth, Lewis and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Kurt Webber to the Marion County Public Defender Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 385, 2014. Introduced by Councillors Moriarty Adams, Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Sandra J. Bryan to the Marion County Community Corrections Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 386, 2014. Introduced by Councillors Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Jason Reyome to the Marion County Community Corrections Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 387, 2014. Introduced by Councillors Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Rick Scott to the Juvenile Detention Center Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 388, 2014. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$34,000 in the 2014 Budget of the Marion County Forensic Services Agency (County General Fund) to cover overtime and internal chargebacks"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 389, 2014. Introduced by Councillors Gray, Lewis and Barth. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Henry Williams to the Board of Public Works"; and the President referred it to the Public Works Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 394-399, 2014. Introduced by Councillor Robinson. Proposal Nos. 394-399, 2014 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on November 19, 2014. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed

ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 83-88, 2014, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 83, 2014.

2014-ZON-015

961, 969 Dorman Street; 958 And 962 Stillwell Street

CENTER TOWNSHIP, CD #16

969 Dorman LLC, by Mark Demerly request Rezoning of 0.64 acre from the C-2 and I-3-U district to the D-8 classification.

REZONING ORDINANCE NO. 84, 2014.

2014-ZON-051

5520 East Stop 11 Road (Approximate Address)

FRANKLIN TOWNSHIP, CD #25

Redwood Acquisitions, LLC, by Russell L. Brown requests Rezoning of nine acres from the I-2-S district to the C-1 classification to provide for office uses.

REZONING ORDINANCE NO. 85, 2014.

2014-ZON-052

5520 East Stop 11 Road (Approximate Address)

FRANKLIN TOWNSHIP, CD #25

Redwood Acquisitions, LLC, by Russell L. Brown request Rezoning of 34.30 acres from the I-2-S district to the D-8 classification to provide for multi-family uses.

REZONING ORDINANCE NO. 86, 2014.

2014-ZON-056

720 North Park Avenue

CENTER TOWNSHIP, CD #9

Ear Shot Audio Post, by Mary E. Solada request Rezoning of 0.34 acre from the C-S district to the C-S classification to provide for a sound studio facility.

REZONING ORDINANCE NO. 87, 2014.

2014-ZON-057

5142 West 10th Street (Approximate Address), Town of Speedway

Wayne Township, Council District #14

Speedway Community Development Corporation, by Ian Nicolini requests

Rezoning of 0.55 acre from the C-3 district to the D-5 classification to provide for residential uses.

REZONING ORDINANCE NO. 88, 2014.

2014-CZN-828

2829 Madison Avenue (Approximate Address)

CENTER TOWNSHIP, CD #19

TCT Three, by Craig E. Von Deylen request Rezoning of 4.48 acres from the C-5 district to the D-10 classification to provide for four, three-story multi-family buildings, with 144 total units.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 323, 2014. Councillors Mansfield, Moriarty Adams, and Adamson reported that the Administration and Finance, Public Safety and Criminal Justice and Public Works Committees heard Proposal No. 323, 2014 on various dates between November 12 and 20, 2014. The proposal, sponsored by Councillor Moriarty Adams, appropriates \$8,202,860 from various city and county funds for use by various city and county agencies, funded by transfers and reductions, revenues not previously appropriated, and fund balances. By votes of 5-1, 5-0 and 4-1, the Committees reported the proposals to the Council with the recommendation that they do pass as amended.

Councillor Moriarty Adams made the following motion:

Madam Chair:

I move to amend Section 15 of Proposal No. 323, 2014, as previously amended in the Public Works Committee, by deleting the language that is stricken-through and adding the language that is double-underlined in the highlighted portion, to read as follows:

SECTION 15. The Department of Public Works, additional appropriation of ~~\$487,360~~ \$30,000 in the Fleet Services Fund to ~~cover the costs associated with alternative fuel programs including the purchase of plug-in electric vehicles, up-front vehicle costs and telematics, and~~ the shared costs of retrofitting a solid waste vehicle with a compressed natural gas engine and fuel tank. The following changes to appropriations are hereby approved:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
Fleet Services Fund (15002)	0	0	457,360	0	0	457,360
Fleet Services (15002)	0	0	30,000	0	0	30,000

Councillor Adamson seconded the motion. Proposal No. 323, 2014 was amended on the following roll call vote; viz:

24 YEAS: Adamson, Barth, Clay, Gooden, Gray, Hickman, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Tew
4 NAYS: Cain, Evans, Freeman, McHenry
1 ABSENT: Holliday

The President called for public testimony at 8:02 p.m.

Larry Vaughn, citizen, said that they are once again lumping public works and public safety budgets together for the chief executive to use as their personal piggy bank and muddy the use of the funds. He said that they are giving a company \$18 million to pass out bumper stickers with the Angie's List proposal this evening. He said they need to change the statute that allows the Council to use these two budgets as a milk cow.

Councillors Sandlin and Tew asked for consent to abstain as there may be a potential conflict with one of the contractors. Consent was given.

Councillor Freeman said that he agrees sheriff deputies need a raise, but the Sheriff asks every single year for an additional appropriation to meet payroll, and this should have been included in the budget.

Councillor Adamson said that this is a proposal to allocate funds county-wide and it is frustrating that Councillor Freeman always singles out the Sheriff.

Councillor Hickman said that the arrestee medical payments continue to increase out of control and these are difficult for the sheriff to manage or predict.

There being no further testimony, Councillor Adamson moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 323, 2014, as amended, was adopted on the following roll call vote; viz:

25 YEAS: Adamson, Barth, Cain, Clay, Evans, Gooden, Gray, Hickman, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Scales, Shreve, Simpson

1 NAYS: Freeman

2 NOT VOTING: Sandlin, Tew

1 ABSENT: Holliday

Proposal No. 323, 2014, as amended, was retitled FISCAL ORDINANCE NO. 47, 2014, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 47, 2014

A FISCAL ORDINANCE amending the City-County Annual Budget for 2014 (City-County Fiscal Ordinance No. 270, 2013) by transferring and appropriating an additional Eight Million Two Hundred Two Thousand Eight Hundred Sixty Dollars (\$8,202,860) for purposes of those departments and agencies listed below.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures, the necessity for which has arisen since its adoption, the City-County Annual Budget for 2014 is hereby amended to reflect the increases and reductions hereinafter stated for purposes of the following departments and agencies, as listed in sections 2 through 15:

SECTION 2. Marion County Auditor, additional appropriation of \$95,000 in the County General Fund to cover worker's compensation expenses through 2014. The following changes to appropriations are hereby approved:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	TOTAL
County General Fund (10101)	0	0	95,000	0	95,000

SECTION 3. The Marion County Election Board, additional appropriations and transfer in the County General Fund to cover costs for the 2014 general election to include staffing, supplies and services. The following changes to appropriations are hereby approved:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	TOTAL
County General Fund (10101)	275,000	30,000	100,000	(55,000)	350,000

SECTION 4. The Office of Finance and Management, transfers \$30,000 in the Consolidated County General Fund from Character 1 to Character 3 to cover contractual expenses through the remainder of 2014. The following changes to appropriations are hereby approved:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL
Consolidated County General Fund (15001)	(30,000)	0	30,000	0	0	0

SECTION 5. Marion County Treasurer, transfers \$6,500 in the County General Fund from Character 1 to Character 3 to aid in the hiring of additional staff to meet the demands of the fall tax collection cycle. The following changes to appropriations are hereby approved:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	TOTAL
County General Fund (10101)	(6,500)	0	6,500	0	0

SECTION 6. The Marion Superior Court, additional appropriation and transfers in the County General Fund to cover personnel costs for the remainder of 2014. The following changes to appropriations are hereby approved:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	TOTAL
County General Fund (10101)	350,000	(100,000)	(100,000)	0	150,000

SECTION 7. The Marion County Sheriff's Department, additional appropriation in the County General Fund to cover retiree health insurance and personnel salaries and benefits. The following changes to appropriations are hereby approved:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	TOTAL
County General Fund (10101)	3,050,000	(50,000)	(800,000)	0	2,200,000

SECTION 8. The Marion County Sheriff's Department, additional appropriation in the County Medical Care for Inmates Fund to cover inmate and arrestee medical care. The following changes to appropriations are hereby approved:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	TOTAL
County Medical Care for Inmates Fund (20461)	0	0	1,800,000	0	1,800,000

SECTION 9. In support of the appropriation provided in Section 8, revenues totaling \$1,800,000 are to be transferred from the County General Fund to the County Medical Care for Inmates Fund.

SECTION 10. The Marion County Sheriff's Department, additional appropriation in the MECA Emergency Phone System Fund to cover personnel salaries and benefits. The following changes to appropriations are hereby approved:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	TOTAL
MECA Emergency Phone System Fund (20151)	200,000	0	0	0	200,000

SECTION 11. The Marion County Sheriff's Department, transfers and appropriates funding in the MECA fund to cover building authority rent and ISA chargebacks for the Communications Division. The following changes to appropriations are hereby approved:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	TOTAL
MECA Fund (20152)	(500,000)	0	600,000	0	100,000

SECTION 12. The Department of Public Works, additional appropriation of \$210,000 in the Fleet Services Fund to cover the cost of personnel salaries and benefits for the remainder of 2014. The following changes to appropriations are hereby approved:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL
Fleet Services Fund (15002)	210,000	0	0	0	0	210,000

SECTION 13. The Department of Public Works, additional appropriation of \$530,000 in the Parks General Fund to cover the cost of personnel salaries and benefits for the remainder of 2014. The following changes to appropriations are hereby approved:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL
Parks General Fund (15201)	530,000	0	0	0	0	530,000

SECTION 14. The Department of Public Works, additional appropriation of \$439,000 in the Transportation General Fund to cover the cost of personnel salaries and benefits for the remainder of 2014. The following changes to appropriations are hereby approved:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL
Transportation General Fund (15151)	439,000	0	0	0	0	439,000

SECTION 15. The Department of Public Works, additional appropriation of \$30,000 in the Fleet Services Fund to the shared costs of retrofitting a solid waste vehicle with a compressed natural gas engine and fuel tank. The following changes to appropriations are hereby approved:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL
Fleet Services (15002)	0	0	30,000	0	0	30,000

SECTION 16. Below is a recap of the total changes incorporated in this ordinance, by fund.

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL	Revenues Not Previously Recognized	Fund Balance Change
County General (10101)	0	0	95,000	0	0	95,000	0	(95,000)
County General (10101)	275,000	30,000	100,000	(55,000)	0	350,000	0	(350,000)
County General (10101)	(6,500)	0	6,500	0	0	0	0	0
Consolidated County (15001)	(30,000)	0	30,000	0	0	0	0	0
County General (10101)	350,000	(100,000)	(100,000)	0	0	150,000	0	(150,000)
County General (10101)	3,050,000	(50,000)	(800,000)	0	0	2,200,000	0	(2,200,000)
MC Sheriff's Med Care for Inmates (20461)	0	0	1,800,000	0	0	1,800,000	0	(1,800,000)
MECA Emergency Phone System Fund (20151)	200,000	0	0	0	0	200,000	0	(200,000)
MECA Fund (20152)	(500,000)	0	600,000	0	0	100,000	0	(100,000)
Fleet Services (15002)	210,000	0	487,360	0	0	697,360	0	(697,360)
Parks General Fund (15201)	530,000	0	0	0	0	530,000	0	(530,000)
Transportation General	439,000	0	0	0	0	439,000	439,000	0
Totals	4,517,500	(120,000)	2,218,860	(55,000)	0	6,561,360	439,000	(6,122,360)

SECTION 17. Upon approval of this ordinance, and other ordinances pending before the City-County Council, the estimated 2014 and 2015 year-end unappropriated fund balances of funds that will be reduced as a result of this ordinance are:

	Projected 2014 Year-End Balance	Projected 2015 Year-End Balance
County General	12,034,631	2,517,243
Consolidated County	5,353,531	2,417,437
MC Sheriff's Med Care for Inmates	67,401	57,258
MECA Emergency Phone System	92,355	429,067
MECA	51,731	21,731
Fleet Services	558,076	572,184
Parks General Fund	1,915,054	1,422,953
Transportation General	4,056,984	3,277,905

SECTION 18. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 19. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 370, 2014. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 370, 2014 on November 12, 2014. The proposal, sponsored by Councillor Moriarty Adams, approves an appropriation of \$40,000 in the 2014 Budget of the City-County Council (Consolidated County Fund) for contractual expenditures related to an assessment of Community Corrections, funded by a grant by the Indiana Department of Corrections. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:08 p.m. There being no one present to testify, Councillor Moriarty Adams moved, seconded by Councillor Oliver, for adoption. Proposal No. 370, 2014 was adopted on the following roll call vote; viz:

28 YEAS: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Tew
0 NAYS:
1 ABSENT: Holliday

Proposal No. 370, 2014 was retitled FISCAL ORDINANCE NO. 48, 2014, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 48, 2014

A FISCAL ORDINANCE amending Section 1.01(a) of the City-County Annual Budget for 2014 (City-County Fiscal Ordinance No. 39, 2013) by appropriating an additional Forty Thousand Dollars (\$40,000) for purposes of the City-County Council.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures, the necessity for which has arisen since its adoption, the City-County Annual Budget for 2014 (City-County Fiscal Ordinance No. 39, 2013) is hereby amended to reflect additional appropriations hereinafter stated for purposes of the City-County Council.

SECTION 2. A total of \$40,000 is appropriated in the budget of the City-County Council to fund for contractual expenditures related to an assessment of Community Corrections funded by a grant by the Indiana Department of Corrections.

The following additional appropriation is hereby approved:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL
Consolidated County Fund	0	0	40,000	0	0	40,000

SECTION 3. Upon approval of this, and other pending approvals, the projected 2013 and projected 2014 year-end fund balances for the Rebuild Indy Sub-Fund of the Consolidated County Fund are as follows:

Fund	Projected 2013 year-end balance	Projected 2014 year-end balance
Consolidated County Fund		

SECTION 4. The additional appropriation shall be funded from the unappropriated and unencumbered balance of the Consolidated County Fund.

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 215, 2014. Councillor Barth stated that Proposal No. 215, 2014 was returned to committee on July 14, 2014 by the full Council and heard again on August 5 and November 11, 2014. The proposal, sponsored by Councillor Robinson, amends Chapter 581 of the code to add as a discriminatory practice the denial of equal opportunities based on source of income. By a 4-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Barth moved, seconded by Councillor Moriarty Adams, to send Proposal No. 215, 2014 back to committee.

Councillor Robinson said that he supports sending this back to committee, but there are 40 cities and 15 states that have this policy, and Section 8 voucher holders are being discriminated against. He said that he supports returning it to committee to find a resolution for passage.

Councillor Mansfield said that she opposes the motion, as they have had three separate committee hearings on this, and she does not foresee any changes being made to it to make it successful, and therefore, the Council should just vote on it this evening. Councillor Hunter echoed the same sentiment.

Councillor Robinson said that with proposals dealing with the discrimination of the poor take time to find a common ground.

Councillor Miller said that this is a volunteer federal program that the Council is trying to legislate at a local level, and they instead should be lobbying the Congress and Senate on this matter. He said that the federal government has the responsibility to fix it, and it is stunning they do not see the need.

Councillor Oliver said that he is not a supporter of the proposal in its current form, but if other like cities have found a solution, he would like to see that information before voting.

Councillor Scales said that she opposes the proposal, but understands Councillor Robinson's passion regarding the issue and believes it is important and needs addressing, so she will support sending it back to committee.

Councillor Hickman said that discrimination starts at the lowest form of government, and she would like to see this go back to committee for a re-write to follow other best practices, as she believes it has value.

Councillor Robinson said that he received an abundance of e-mails from lobbyists, but citizens on Section 8 vouchers have no lobbyists. He said that this Council continues to support incentives for the rich, but has not passed a single thing to help the poor while he has been on the Council. It is his job to lobby for those who do not have a voice; and as a former Section 8 recipient as a child, he would appreciate the Council's support.

Councillor Clay said that he supports the motion and looks forward to helping construct a program that addresses the gaps.

Councillor Lutz said that they had over two hours of testimony at the November 11, 2014 committee meeting, and he made a motion to postpone or table the issue at that time, in order for Councillor Robinson to get the additional information requested, including any anticipated cost. At that time, Councillor Robinson vehemently opposed postponing the issue, and he wonders what has changed since then. Councillor Robinson said that he received some e-mails from some landlords and property owners and feels he has an obligation to address some of their concerns before passing the proposal.

The motion to return Proposal No. 215, 2014 to committee failed on the following roll call vote; viz:

14 YEAS: Adamson, Barth, Clay, Gray, Hickman, Lewis, Mascari, Moriarty Adams, Oliver, Osili, Robinson, Scales, Simpson, Tew
14 NAYS: Cain, Evans, Freeman, Gooden, Hunter, Jackson, Lutz, Mansfield, McHenry, McQuillen, Miller, Pfisterer, Sandlin, Shreve
1 ABSENT: Holliday

Councillor Barth moved, seconded by Councillor Robinson, for adoption. Councillor Robinson said that a vote against this proposal, is a vote against the poor.

Councillor Adamson said that discrimination in any form is wrong and ought to be dealt with, which is why he supported the motion to return this proposal to committee for further dialogue. However, in its current form, he has far too many questions, and cannot support it as it is currently written.

Councillor Oliver said that he is disappointed the proposal was not returned to committee for more discussion, but also cannot support the proposal in its current form.

Councillor Barth said that the committee sat through several committee membes and many disabled citizens showed up to testify, despite the barriers they face in transportation to a meeting downtown. He said that if the proposal is not successful, he hopes they realize it is still clearly an important issue.

Councillor Scales said that there are not enough inspectors with the Section 8 program to do all the inspections necessary, and therefore she cannot support it as it is written.

Councillor Gray said tha tthey are asking for the opportunity to make this better and help people who need it the most, and he would hope they would see the needs of the poor, even if those in this room do not have those same needs.

Councillor Hunter said that he believes there is bi-partisan support for the intent of this proposal, but his colleagues have continually asked for information and not received it. It is incumbent upon sponsors to get information and revisions made so that their legislation can move forward, and that has not happened, so he will oppose the proposal this evening because there are too many unknowns, and information has not been received as requested.

Councillor Miller said that there is a proposal coming later in the meeting that will provide pre-k education for those of low income, and he asked Councillors to be careful in characterizing a vote on a proposal as indicating that this person does not care about the poor. He said that he cares passionately about the poor, but he knows a lot of landlords who are poor and would be unable to

accept Section 8 vouchers without risking their livelihood. He said that he wants this solved, as discrimination in any form is wrong, but it needs to be solved in the right way.

Councillor Clay said that there will be an opportunity to send children to school with vouchers, but it seems unfair to limit those titled Section 8 citizens to live wherever they wish.

Councillor Robinson said that anything that was requested was provided, but those individuals simply did not agree with the information presented. He said that for Councillor Miller to present to the public that this body has done things for the poor is disingenuous. They continually give money to private entities, but there has not been one proposal put through that helps poor people; even though he can name 20 or 30 that have supplied rich people and developers with more money. He said that the only proposals he has seen in three years to address poverty are the three that he has offered this evening. One is going back to committee, one will likely be voted down, and hopefully, the pre-k initiative will pass.

Councillor Gooden said that this Council has passed several proposals that have generated or renewed bonds for low-income housing.

Councillor Hickman moved to reconsider the motion to return Proposal No. 215, 2014 to committee. Councillor Hunter said that only a person on a prevailing side of a vote can move to reconsider a vote. General Counsel Fred Biesecker said that a new motion can be made to return to committee or the proposal could be postponed.

Councillor Hickman moved, seconded by Councillor Barth, to return Proposal No. 215, 2014 to committee.

Councillor Freeman said that he believes this motion is out of order, and only someone who voted on the prevailing side, which essentially would be in opposition since the motion failed, could call for the same motion. Mr. Biesecker said that if the vote had not been a tie, it would require someone from the prevailing side, but since the vote was 14 to 14, there is no prevailing side.

Councillor Sandlin said that according to Roberts Rules of Order, the motion would fail, and therefore, that would be the prevailing side. Mr. Biesecker said that he is not sure that would apply to the decision for taking this vote. President Lewis said that the Counsel to the Council has spoken, and the motion stands.

Councillor Simpson moved, seconded by Councillor Hickman, to call for the question and end debate. Debate was ended on the following roll call vote; viz:

*19 YEAS: Adamson, Barth, Cain, Clay, Gray, Hickman, Hunter, Jackson, Lewis, Mansfield, Mascari, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Simpson, Tew
9 NAYS: Evans, Freeman, Gooden, Lutz, McHenry, McQuillen, Sandlin, Scales, Shreve
1 ABSENT: Holliday*

Proposal No. 215, 2014 was returned to committee on the following roll call vote; viz:

*15 YEAS: Adamson, Barth, Clay, Gray, Hickman, Jackson, Lewis, Mascari, Moriarty Adams, Oliver, Osili, Robinson, Scales, Simpson, Tew
13 NAYS: Cain, Evans, Freeman, Gooden, Hunter, Lutz, Mansfield, McHenry, McQuillen, Miller, Pfisterer, Sandlin, Shreve
1 ABSENT: Holliday*

PROPOSAL NO. 249, 2014. Councillor Adamson reported that the Public Works Committee heard Proposal No. 249, 2014 on October 23 and November 20, 2014. The proposal, sponsored by Councillor Hunter, amends the Code to revise sections establishing stormwater user fees and other related sections to provide revenue for stormwater capital improvement projects and enhance stormwater operations and maintenance programs. By a 6-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Adamson moved, seconded by Councillor Hickman, for adoption.

Councillor Freeman said that this is a bad idea, and he can think of no other rate citizens pay that would automatically increase every year without coming before the Council. There are a lot of property owners that contribute nothing to the run-off, but their rates would increase like everyone else's anyway.

Councillor Mansfield said that she has several areas in her district where flooding affects the roads, and there are massive potholes as a result. These funds will give neighbors in those areas some relief.

Councillor Pfisterer said that she is not crazy about raising rates, but they need to address this infrastructure that has been ignored for decades. They need to avoid sinkholes and mitigate flood insurance rates imposed on some of these properties, and therefore, she reluctantly supports the proposal.

Councillor Hickman said that some members have no problem borrowing \$150 million, but raising rates 50 cents to a dollar a month would be a lot better than paying interest on \$150 million.

Councillor Scales said that in her seven years as a Councillor, she has not voted to raise one tax or fee, but she does support this one. She said that so many people are experiencing flooding and drainage issues, and her residents support the rate increase to address this problem.

Proposal No. 249, 2014 was adopted on the following roll call vote; viz:

17 YEAS: Adamson, Cain, Gooden, Gray, Hickman, Hunter, Jackson, Mansfield, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Scales, Shreve
11 NAYS: Barth, Clay, Evans, Freeman, Lewis, Lutz, Mascari, McHenry, Sandlin, Simpson, Tew
0 NOT VOTING:
1 ABSENT: Holliday

Proposal No. 249, 2014 was retitled GENERAL ORDINANCE NO. 43, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 43, 2014

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to revise the sections establishing stormwater user fees and to revise certain other related sections.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sections 131-421 through 131-427 of the "Revised Code of the Consolidated City and County," regarding stormwater user fees, hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 131-421. Definitions.

When used in this division, the words base billing unit (BBU), board, credit, department, director, district, equivalent residential unit (ERU), impervious areas (IA), nonresidential property, public streets, roads and highways, residential property, stormwater user fee, stormwater system or square footage of impervious area shall have the meanings ascribed to them in section 676-102 of this code.

Sec. 131-4212, Stormwater user fee.

(a) There is hereby imposed a stormwater user fee payable to the department upon each ~~lot or~~ parcel of land within the Marion County Stormwater Management District ~~which lot or parcel directly or indirectly contributes to the stormwater system of the district.~~ The stormwater user fee for nonresidential property shall be based on the quantity of impervious area located on the ~~lot or~~ parcel and shall be paid by the owner of the property. ~~The stormwater user fee shall be charged within ninety (90) days after the date on which this division takes effect.~~

(b) The stormwater user fee shall be ~~one two dollars and twenty-five cents (\$1.25)~~ (\$2.25) per equivalent residential unit ("ERU") until and including June 30, 2015, and shall be one dollar and ten cents (\$1.10) per base billing unit ("BBU") beginning on July 1, 2015 ~~December 31, 2005~~, and two dollars and twenty-five cents (\$2.25) per ERU, beginning January 1, 2006.

(c) The stormwater user fee provided for in this ~~division section~~ is to be collected from properties ~~whose stormwater directly or indirectly contributes to the stormwater system of the district.~~ containing measurable impervious area within the district, unless such parcels are exempt as stated in subsections (d) and (e) below. ~~If a property is situated so that all of the stormwater or some of the stormwater from the property does not contribute to the stormwater system of the district, the property shall be exempt or partially exempt from the stormwater user fee. The situations listed below warrant an exemption or partial exemption. This list is not intended to be all inclusive and other exemptions or partial exemptions may be granted by the department in response to a fee adjustment review pursuant to section 676-304~~

- ~~(1) Where stormwater from a property is captured, used up in a process and never returned to the stormwater system of the district;~~
- ~~(2) Where stormwater from a property flows directly outside of the district and never flows back into the stormwater system of the district;~~
- ~~(3) Where stormwater from a property is collected, treated and legally discharged into a publicly owned wastewater treatment facility.~~

~~(d) The partial exemption provided for in this subsection (c) applies only to "retail or service commercial uses — Individual freestanding uses" and "retail or service commercial uses — Integrated centers" as defined in the Commercial Zoning Ordinance of Marion County, as amended and adopted August 2, 1993 and ratified August 10, 1993, reprinted with amendments July 1997 (the "current commercial zoning ordinance"). The stormwater user fee provided for in this division is based on the quantity of impervious area located on a property. Commercial zoning ordinances, through a minimum parking space requirement, require a certain quantity of impervious area on a property. If a retail facility subject to this subsection was required by the existing commercial zoning ordinance when constructed to have a greater number of minimum parking spaces than the facility would be required to have under the current commercial zoning ordinance, the impervious area attributable to parking spaces shall be calculated based on the minimum parking spaces the facility would be required to have under the current commercial zoning ordinance. The partial exemption provided for in this subsection shall be granted by the department in response to a fee adjustment review pursuant to section 676-304.~~

(d) The following impervious areas are exempt from measurement and calculation of a stormwater user fee:

- (1) Public streets, public roads, and public highways;
- (2) Railway beds, ties, and rails in operation or an operational state; and,
- (3) Open water.

(e) If a nonresidential property is situated so that all of the stormwater or some of the stormwater from the property does not contribute to the stormwater system of the district, the property may be partially exempt from the stormwater user fee. This list is not intended to be all-inclusive and exemptions may be granted by the department in response to a fee adjustment review pursuant to section 676-304

- (1) Where stormwater from a property is captured, used up in a process and never returned to the stormwater system of the district;
- (2) Where stormwater from a property flows directly outside of the district and never flows back into the stormwater system of the district and is regulated by a separate individual or general stormwater NPDES permit.

Sec. 131-4223. Purpose for user fee.

The stormwater user fee shall be used to pay for the design, planning, regulation, education, administration, coordination, construction, operation, maintenance, inspection and enforcement activities of the stormwater system of the district.

Sec. 131-423. Charge per equivalent residential unit (ERU).

~~Within sixty (60) days of the date on which this division takes effect [May 21, 2001], the board shall provide to the city county council for consideration and approval the stormwater credit manual referred to in section 114 and the initial master plan referred to in section 109. The stormwater user fee shall be used to pay for the expenditures required by the initial master plan. Expenditures associated with capital projects identified in the initial master plan may be phased over a period of time of up to twenty (20) years or may be phased as required by any revenue bonds issued to pay for such capital expenditures, provided, however, that no such user fee shall be charged that exceeds one dollar and twenty five cents (\$1.25) per ERU per month. Thereafter, any change to the stormwater service charge or user fee shall be based on the information required in [section 261-502](#), be adopted in accordance with the procedure as set forth in [section 131-425](#) and be effective only after approval of the city county council.~~

Sec. 131-424. Calculation of user fee based on ERUs.

Until and including June 30, 2015, stormwater user fees shall be calculated as follows:

- ~~(a)~~(1) Residential properties. Each residential property, as defined in this article, shall be assessed a monthly stormwater user fee based on one (1) ERU. An ERU, as defined in this article, shall be established at two thousand eight hundred (2,800) square feet.
- ~~(b)~~(2) Nonresidential properties. Stormwater user fees for nonresidential properties shall be calculated as follows:
 - ~~(1)~~a. The monthly stormwater user fee for each nonresidential property, as defined in this article, shall be calculated by determining and assigning to that property an ERU multiple based upon the property's individually measured square footage of impervious area, divided by two thousand eight hundred (2,800) square feet, which is one (1) ERU. This division shall be calculated to the first decimal place.
 - ~~(2)~~b. The user fee shall be based on the nearest whole ERU. Rounding necessary to determine the nearest ERU shall be done according to mathematical convention, zero (0.0) to four-tenths (0.4) rounded down to the nearest whole ERU and five-tenths (0.5) to nine-tenths (0.9) rounded up to the nearest whole ERU.
- ~~(c)~~(3) ~~There shall be no exceptions or exemptions~~ Exemptions from the assignment of ERUs shall be governed by section 131-422. Credits to the stormwater user fee shall be governed by section 676-403, ~~of this Code~~ fee adjustments shall be governed by section 676-304, and appeals shall be governed by [section 676-304](#) of this ~~chapter~~ code.

Sec. 131-425. Calculation of user fees based on BBUs.

Beginning on July 1, 2015, stormwater user fees shall be calculated as follows:

- (1) Stormwater user fees for all parcels within the district, residential and nonresidential, shall be calculated as follows:
 - a. The monthly stormwater user fee shall be calculated utilizing the measured impervious area (IA) for each parcel and assigning the parcel to a group assigned one (1) base billing unit (BBU) or a multiple of BBUs following the convention 1-1000 square feet of measured IA is assigned one (1) BBU; 1,001-2,000 square feet of measured IA is assigned two (2) BBUs; 2,001-3000 square feet of measured IA is

assigned three (3) BBUs and progressing in a manner such that each additional 1,000 square foot unit of IA is assigned an additional BBU. BBUs shall be assigned to each parcel proportional to each 1,000 square foot increment of IA contained on the parcel. No parcel containing measurable IA greater than one (1) square foot shall be assigned less than one (1) BBU unless exempted by section 131-422.

- b. The impervious area measurement shall be rounded to the nearest whole square foot.
- (2) Exemptions from the assignment of BBUs shall be governed by section 131-422. Credits to the stormwater user fee shall be governed by section 676-303, fee adjustments shall be governed by section 676-304 and appeals shall be governed by section 676-304 of this code.
- (3) The stormwater user fee established in section 131-422 shall change annually subject to the automatic rate adjustment procedures outlined herein.

Stormwater Rate Adjustment Schedule 2015-2019					
Year	July 1, 2015	January 1, 2016	January 1, 2017	January 1, 2018	January 1, 2019
\$Rate/1000 square feet impervious area	\$1.10	\$1.15	\$1.20	\$1.25	\$1.30

To the extent a sustainable operations and capital improvement program will be maintained and to meet indexing costs after 2019, a stormwater user fee adjustment shall occur automatically each year on January 1 at a rate of \$0.05 per 1000 square feet of impervious surface as defined herein through January 1, 2034 unless otherwise modified as allowed by the articles of this or other applicable ordinance.

The increased stormwater user fee shall be rounded up to the nearest whole cent per BBU.

Sec. 131-425~~6~~. Excluded cities.

(a) ~~Each lot or parcel of land located within the boundaries of the excluded cities of Lawrence and Southport shall be charged the stormwater user fees imposed by this article. Lots or parcels~~ Parcels located within the geographic boundaries of the excluded City of Beech Grove, the excluded Town of Speedway and the included Town of Cumberland shall not be charged the stormwater user fees imposed by this article because Speedway and Cumberland established a stormwater utility under IC 8-1.5 and Beech Grove withdrew from the Marion County Stormwater Management District pursuant to IC 8-1.5-5-32 effective December 1, 2006.

(b) The department and the excluded cities of Lawrence and/or Southport may enter into an interlocal cooperation agreement authorized by IC 36-1-7, which agreement shall set forth how stormwater user fees are to be collected and how stormwater management services are to be provided in the respective excluded city. A description of stormwater management activities to be undertaken in the excluded city and a timetable for undertaking those activities may be established in the interlocal agreement.

(c) Except for the reasonable costs of public education and administration of the Marion County Stormwater Management District, stormwater user fees collected from properties in an excluded city shall be spent on stormwater management activities within the excluded city or stormwater activities that benefit the excluded city as established by the county-wide stormwater master plan and the terms of any interlocal cooperation agreement with such excluded city.

(d) The excluded cities of Lawrence and Southport shall be represented on the Marion County Stormwater Management Technical Advisory Committee, and shall participate in the development of the stormwater master plan, as provided in section 261-502 of this ~~E~~code.

~~(e) In consideration of an indemnification from the excluded Town of Speedway and the included Town of Cumberland, the respective town's stormwater management district shall be entitled to receive from the Marion County Stormwater Management District an annual lump sum payment in an amount equivalent to the total amount of property tax paid and allocated to the flood debt service fund from all property tax payers within the geographic boundaries of the towns of Speedway and Cumberland. This payment shall be effective for the taxes assessed beginning January 1, 2002 or the date the Marion County Stormwater Management District stormwater user fee begins to be charged, whichever is later. Such lump sum payments made to the Speedway or Cumberland Stormwater Management District shall be deposited in a dedicated fund, shall only be used for purposes of the Speedway or Cumberland Stormwater Management District, and shall not ever be diverted, directly or indirectly, in any manner to any uses other than for the purposes of the Speedway or Cumberland Stormwater Management District.~~

Sec. 131-4267. User fee review.

At such time as deemed appropriate by the director and taking into account the annual accounting information provided for in [section 261-503](#), the director shall cause a financial study to be performed to determine the costs associated with the stormwater system in the district and shall recommend to the board and the city-county council any necessary adjustments to the stormwater user fee. Any change to the stormwater user fee shall be effective only after approval of both the board and city-county council.

SECTION 2. Section 676-102 of the "Revised Code of the Consolidated City and County," regarding definitions relating to stormwater user fees, hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 676-102. Definitions.

As used in this article, the following terms shall have the meanings ascribed to them in this section:

Base billing unit (BBU) shall mean an area of measured impervious area surface following the convention 1-1000 square feet of measured IA is assigned one (1) BBU; 1,001-2,000 square feet of measured IA is assigned two (2) BBUs; 2,001-3000 square feet of measured IA is assigned three (3) BBUs and progressing in a manner such that each additional 1,000 square foot unit of IA is assigned an additional BBU.

Board shall mean the board of public works established under [chapter 261](#) of the Revised Code of the Consolidated City and County.

Credit shall mean an on-going a reduction in a stormwater user fee based on certain qualifying conditions or activities which mitigate the impact of increased stormwater runoff from the property on a continuing basis and/or reduce the department's cost of providing stormwater management services to the property that benefit the stormwater system, increase green infrastructure and/or aid the department in the outreach and education compliance and reporting requirements of the National Pollutant Discharge Elimination System discharge permit.

Department shall mean the department of public works established under [chapter 261](#) of the Revised Code of the Consolidated City and County. The department is granted authority to plan, budget, design, finance and construct stormwater systems.

Director shall mean the director of the department of public works.

District shall mean the Marion County Stormwater Management District authorized by IC 8-1.5-5 and created by this article.

Equivalent Residential Unit (ERU) shall mean a unit value, equal to the average amount of impervious area of a single-family residential property within Marion County. One (1) ERU is hereby established as two thousand eight hundred (2,800) square feet of impervious area.

Green Infrastructure practices (GI) shall mean approved structural best management practices that implement infiltration as the primary method of management and treatment of stormwater and stormwater runoff and have restricted or no positive discharge to the stormwater system.

Impervious area (IA) shall mean an area that has been paved and/or covered with buildings and materials ~~that~~ which include, but are not limited to, concrete, asphalt, rooftop and blacktop, such that the infiltration of stormwater into the soil is prevented or impeded. Impervious area shall include gravel driveways, private roadways, parking lots and similar areas designed or used for vehicular traffic. Excluded from this definition are undisturbed land, lawns and fields and undisturbed and tilled agricultural lands and areas.

Infiltration shall mean the process of allowing runoff to penetrate the ground surface and flow through the upper soil surface.

Nonresidential property shall mean all properties not included within the definition of residential property in this article. Nonresidential property shall include, but not be limited to, the following:

- (1) Agricultural property;
- (2) Apartment and condominium common property;

- (3) Mobile home parks;
- (4) Commercial property;
- (5) Industrial property;
- (6) Churches;
- (7) Schools;
- (8) Federal, state and local government property.

~~Private stormwater facilities shall mean the various stormwater and drainage facilities not subject to the control and/or under the ownership of the local, state and/or federal government. Such facilities may include inlets, conduits, pipes, pumping stations, manholes, structures, channels, outlets, retention or detention basins and other structural components and equipment designed to transport, move or regulate stormwater. Public stormwater facilities shall include public streets, roads and highways. For the purposes of this definition, the meaning of "subject to the control" shall include, but not be limited to, facilities in the right of way or for which an acceptable permanent easement has been granted.~~

Public streets, roads and highways shall mean those streets, roads and highways ~~that which~~ are accepted for maintenance by the State of Indiana, the City of Indianapolis or any other municipality and ~~that which~~ are available for use in common by the general public for motor vehicle transportation.

Residential property shall mean an improved lot or parcel of real estate on which a building or mobile home is situated, which building or mobile home contains a group of rooms forming a single dwelling unit with facilities ~~that which~~ are used or are intended to be used primarily for living, sleeping, cooking and eating. This definition also includes an individual lot or parcel containing one (1) individual building containing three (3) or fewer separate or attached single-family dwelling units. ~~Each and every residential property shall be assigned one (1) ERU.~~

Square footage of impervious area, for purposes of assigning an appropriate number of ERUs ~~or BBUs, as applicable, to a nonresidential property~~, shall be calculated using the outside boundary dimensions of the impervious area and shall include all of the total enclosed square footage, without regard to topographic features of the enclosed surface.

Stormwater credit manual means the manual recommended by the department and approved by the board that shall set forth the details of the credit system, including parameters of credit and application procedures.

Stormwater user fee shall mean the service charge or user fee authorized by IC 8-1.5-5 and imposed on the users of the Marion County Stormwater Management District's stormwater system.

~~*Stormwater service customer or user* shall mean the owner of a lot or parcel of residential property or nonresidential property in the district.~~

Stormwater specification manual means the City of Indianapolis Department of Public Works Stormwater Design and Construction Specification Manual effective February 3, 2011, or as subsequently amended.

Stormwater system shall mean all facilities, including ~~combined sewers~~, structures and natural water courses under the ownership and/or subject to the control of the department of public works used for collecting and conducting stormwater to, through and from drainage areas to the point of final outlet, including, but not limited to the following: Inlets, conduits and appurtenant features, pipes, pumping stations, manholes, structures, channels, outlets, creeks, catch basins, ditches, streams, culverts, retention or detention basins and other structural components and equipment designed to transport, move or regulate stormwater. Stormwater system shall include public streets, roads and highways.

SECTION 3. Sections 676-303 and 676-304 of the "Revised Code of the Consolidated City and County," regarding stormwater user fees, hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 676-303. Credits.

(a) *Credit availability.*

(1) ~~For purposes of this subsection, the following definitions apply:~~

- a. ~~Credit means an on-going reduction in a stormwater user fee based on certain qualifying conditions or activities which mitigate the impact of increased stormwater runoff from the property on a continuing basis and/or reduce the department's cost of providing stormwater management services to the property.~~
- b. ~~Code means the Code or the Revised Code of the Consolidated City and County.~~
- c. ~~Stormwater Specification Manual means the City of Indianapolis Department of Public Works Stormwater Design and Construction Specification Manual effective August 23, 1995, as subsequently amended.~~
- d. ~~Stormwater Credit Manual means the manual, recommended by the department and approved by the board, which shall set forth the details of the credit system, including parameters of credits and application procedures.~~

(12) ~~Residential.~~ A credit to the stormwater user fee imposed on nonresidential property parcels may be available, upon application to the department, for ~~property parcels that~~ which meets one (1) or more of the following criteria:

- a. A single residential credit up to, but not more than, twenty-five (25) percent is available to applicants who own and reside at a parcel and show that an approved stormwater management facility has been constructed and effectively implemented on the parcel. Approved stormwater management facilities eligible for the credit include:

- 1. Rain gardens;
- 2. On-site stormwater storage; and
- 3. Vegetated filter strips.

Application process: Details of the credit, including parameters and application procedures shall be set forth in the Stormwater credit manual.

(2) Nonresidential. A credit to the stormwater user fee imposed on nonresidential property may be available, upon application to the department, for parcels that meet one (1) or more of the following criteria:

- a. Location in relation to major waterway. Credit shall be granted for ~~private applicant owned~~ stormwater facilities based on the location of the property to a major waterway of the United States, if the property directly discharges its stormwater to that waterway in compliance with all requirements of the ~~Ccode~~, the stormwater specification manual, and state and federal regulations. White River, Fall Creek and Big Eagle Creek below Eagle Creek Reservoir shall be considered major waterways for the purposes of this section. A ~~two (2)~~ one (1) percent credit shall be granted from the total monthly stormwater user fee for each ~~three (3)~~ two (2) percent of the impervious area ~~stormwater~~ from the property ~~that which~~ directly discharges to the major waterway.

Application process: Details of the credit, including parameters and application procedures shall be set forth in the Stormwater credit manual.

- b. Construction in compliance with or exceeding the stormwater specification manual and the ~~Ccode~~. Credit shall be granted from the total monthly stormwater user fee for ~~private applicant owned~~ stormwater facilities, such as retention/detention and water quality facilities, constructed either prior to the effective date or after the effective date of the stormwater specification manual, if those facilities either meet or exceed:

- 1. The requirements of the stormwater specification manual; and
- 2. The requirements of the ~~Ccode~~ in effect at the time of construction.

- c. Two-tiered credit availability for construction in compliance with or exceeding stormwater specification manual and the code. Property owners of ~~private applicant owned~~ stormwater facilities, such as retention/detention and water quality facilities, eligible for credit under ~~this subsection (b)~~ may, at their option, apply for either a Tier One or a Tier Two credit as set forth below. Details of the tier system and other matters relating to applying for and receiving credits shall be included in the stormwater credit manual.

1. Tier One. Tier One credit is intended for ~~minor basins with watershed less than five (5) acres but is available for larger basins at owner's option.~~ construction of stormwater management facilities that meet the requirements of the stormwater specification manual and code. A ten (10) percent credit may be granted from the total monthly stormwater user fee for a parcel having approved stormwater facilities that meet the requirements of the stormwater specification manual and code.

Credit amount: ~~Twenty five (25) percent~~

Application fee: ~~Not to exceed fifty dollars (\$50.00)~~

Application process: ~~Basic information shall be supplied by the owner. Such information shall include name of owner, location, parcel number, size and shape of basin, type and size of outlet. The owner shall rate the condition of basin as "good, fair or poor" and indicate how many times per year basic maintenance (such as erosion control and/or mowing) activities are performed. The owner shall be required to sign a statement certifying that information is correct and acknowledging that the credit determination will be based on information provided. A later determination that the information was inaccurate may result in loss of credit.~~ Detailed technical information shall be supplied by the owner and the owner's engineer. Such information shall include as-built data, routing the storm event for the two (2), ten (10), twenty-five (25), and one hundred (100) year-storm events, comparison of pre-development and post-development conditions, total storage volume and emergency spillway configuration. To receive a credit, stormwater facilities must provide control to a pre-development level for all the above storm events. Water quality volume and post construction treatment data shall be supplied. Tier One credits shall be granted as provided in the stormwater credit manual.

2. Tier Two. Tier Two credit is intended for ~~basins with watershed equal to or greater than five (5) acres but is available for minor basins at owner's option.~~ construction of stormwater management facilities that are designed and constructed to exceed the requirements of the stormwater specification manual and code. A thirty (30) percent credit may be granted from the total monthly stormwater user fee for a parcel having approved stormwater facilities that exceed the requirements of the stormwater specification manual and code.

Credit amount: ~~Thirty five (35) percent~~

Application fee: ~~Not to exceed two hundred fifty dollars (\$250.00)~~

Application process: ~~More detailed~~ Detailed technical information shall be supplied by the owner and the owner's engineer. Such information shall include as-built data, routing the storm event for the two (2), ten (10), twenty-five (25), ~~fifty (50)~~ and one hundred (100) year-storm events, comparison of pre-development and post-development conditions, total storage volume and emergency spillway configuration. To receive a Tier Two credit, approved stormwater facilities must provide both control to a pre-development level for all the above storm events, and provide post construction stormwater quality treatment that exceeds the requirements detailed in the stormwater specification manual by ten (10) percent. A parcel may also qualify for stormwater credits for drainage basins that are designed utilizing the Modified Rational Method, which is detailed in the stormwater specification manual. Water quality volume and post construction treatment data shall be supplied. Tier Two credits shall be awarded as provided in the stormwater credit manual.

3. ~~Additional Credit. Additional credit, above the thirty five (35) percent described in subsection 2. above, shall be granted to properties with private stormwater facilities if the facilities reduce the stormwater discharge from the property to a level below the pre development one hundred (100) year storm event. A one (1) percent credit shall be granted from the total monthly stormwater user~~

~~fee for each two (2) percent reduction of discharge below the pre-development one hundred (100) year storm event.~~

- d. ~~Public stormwater facilities located on land owned by local, state or federal governments shall be eligible for credit under subsections a., b. and c. above in the same manner that private stormwater facilities are eligible for credit.~~

- d. Additional water quality and/or quantity control. An additional water quality and/or quantity control credit is intended to utilize the construction of approved Green Infrastructure (infiltrative) practices to reduce overall stormwater discharge volume from the property. An additional credit up to twenty (20) percent may be granted for an approved plan and successful construction and implementation of Green Infrastructure (infiltrative) practices that reduce discharge volume.

Application process: Applicant must first qualify for either the Tier One or Tier Two credit to receive the additional water quality and/or quantity control credit. Final approved level of credit shall be based on an approvable plan that demonstrates the use of acceptable infiltrative practices approved by the department or the stormwater specification manual for the stormwater. Submission shall include design plans and details and hydrologic and hydraulic calculations necessary for review. Credit shall be granted as provided in the stormwater credit manual.

- e. ~~The descriptions in this section of circumstances in which credit shall be granted are not intended to be all inclusive. The stormwater credit manual may allow credit for stormwater facilities and circumstances not described in this subsection.~~

- e. Education. Education credit is intended to aid the department in the outreach and education compliance and reporting requirements of the National Pollutant Discharge Elimination System discharge permit. A credit up to five (5) percent credit may be granted from the total monthly stormwater user fee for a property owner implementing an approved stormwater quality awareness and education lesson plan for elementary through high school classes. This credit is limited to state recognized schools using state licensed instructors.

Application process: Detailed lesson plan and implementation schedule shall be submitted to the department to determine eligibility for the education credit. The lesson plan shall be taught to elementary and middle school students by an instructor licensed by the State of Indiana. The application for credit may be submitted by an individual school or a school district or corporation. The credit shall be applied only to the BBUs of the educational building on the parcel where the instruction of the approved credit material takes place. Owner shall be required to submit reports regarding implementation of the plan on an annual basis to maintain the credit. Education credits shall be granted as provided in the stormwater credit manual.

- (3) All parcel owners may apply for and be eligible for credit under this section.

- (4) The descriptions in this section of circumstances in which credit may be granted are not intended to be all inclusive. The stormwater credit manual may allow credit for stormwater facilities and circumstances not described in this section.

- (5) ~~The board, upon recommendation from the department, shall approve a stormwater credit manual. The department shall follow the provisions of the stormwater credit manual in reviewing and acting upon applications for credit. Copies of the stormwater credit manual shall be available from the department.~~

- (6) ~~Each credit granted shall be conditioned on the continuing compliance with the design, operation and maintenance and reporting requirements of the Code, the stormwater specification manual and the requirements set forth in the most current stormwater credit manual Indianapolis Stormwater Credit Manual .~~

- (5) ~~Upon written notice to the property owner or other person designated by the property owner to receive such notice, the department may revoke the credit for good cause, including, but not limited to, failure to comply with minimum maintenance requirements. The department's revocation of the credit may be appealed by following the review procedures set forth in section 676-304 of this article.~~

- (b) *Credit procedures.*

- (1) Application for credit or an appeal of a credit determination shall not constitute a valid reason for non-payment of the stormwater user fee for which a credit is being requested.
- (2) Application for credit shall be made on forms provided by the department and shall be accompanied by the applicable application submittal fee.
- (3) The board, upon recommendation of the department, may set a reasonable credit application submittal and review fees. Such fees shall be reasonably related to the cost of reviewing credit applications ~~and shall not exceed two hundred fifty dollars (\$250.00) per application.~~
 - a. Application and/or renewal submittal fees shall not exceed four hundred fifty dollars (\$450.00) per application and shall include up to three (3) hours of review by the department. If an application requires more than three (3) hours of review by the department, the applicant shall reimburse the department for such additional review time at a rate not to exceed one hundred fifty dollars (\$150.00) per hour.
 - b. Application submittal fees and all review fees for the education credit shall not exceed a total of three hundred dollars (\$300.00).
- (4) The department shall be responsible for reviewing credit applications and shall provide a written determination of the credit application within sixty (60) days of receipt of a complete credit application. The written determination shall set forth the effective date of the credit and any conditions applicable to receipt of ~~the~~ an approved credit.
- (5) Appeals of credit determinations shall follow the procedures set forth in [section 676-304](#) of this article.
- (c) Maximum credit, effective date, expiration and termination.
 - (1) The maximum total credit for any parcel shall be fifty (50) percent of the stormwater user fees assessed against the parcel.
 - (2) If granted by the department, a credit shall have an effective date as follow:
 - a. For credit applications approved on or between January 1 and/or on June 30 the effective date shall be July 1 of the same year; and
 - b. For credit applications approved on or between July 1 and/or on December 31 the effective date shall be January 1 of the following year.
 - (3) Credits approved by the department on or after the date of Council approval of the articles herein, shall expire, unless earlier terminated as provided in subsection (4), three (3) years from the effective date.
 - (4) Upon written notice to the property owner or other person designated by the property owner to receive such notice, the department may terminate a credit for good cause, including, but not limited to, the reasons set forth below. The department's termination of a credit may be appealed by following the review procedures set forth in [section 676-304](#) of this article.
 - a. At the written request of the owner;
 - b. Property or land alteration that affects drainage or impervious area;
 - c. Change of ownership;
 - d. Failure to maintain facilities; and
 - e. Failure to report as required.
- (5) If a credit expires or is terminated, the property owner may submit a new or renewal credit application subject to all conditions herein.
- (d) Expiration of existing credits.

- (1) Credits approved by the department prior to the date of Council approval of the articles herein shall expire on December 31, 2016.

Sec. 676-304. Fee adjustment reviews, credit determination reviews and credit revocation reviews.

(a) Any person subject to this article may petition the director for an adjustment of the stormwater user fees assessed against him/her, provided:

- (1) That the petitioner has paid the disputed stormwater user fees in full;
- (2) That the petitioner:
 - a. ~~has~~ Has good cause to believe that such stormwater user fees were erroneously assessed against him/her, or
 - b. ~~or that That~~ because of extraordinary circumstances unique to his/her ~~parcel~~ property, ~~his property does not impact or benefit from the stormwater system of the district, or that because of extraordinary circumstances unique to his property, equity can be served only by adjusting the stormwater user fees assessed against his/her property parcel; and~~
- (3) That within six (6) months of the petitioner's receipt of the bill for the disputed stormwater user fees, the director receives from the petitioner a written petition for adjustment of fees and a brief statement of fact demonstrating the petitioner's right to an adjustment. The petitioner may include with his/her petition any additional information he/she deems relevant. If the petitioner wishes to have an informal hearing on his/her petition, a request for a hearing must be included with his/her petition.

(b)(4) The director shall appoint an account review officer (ARO) to review and resolve petitions for adjustment of fees.

- (1) The ARO may be a qualified independent contractor or an employee of the city who serves as a hearing officer as part of his/her duties.
- (2) The ARO shall consider the petitioner's statement of fact, as well as any other relevant and material evidence available in determining whether the petitioner is entitled to an adjustment of the stormwater user fee.
- (3) If a hearing has been requested as provided in this article, the hearing shall be before the ARO and shall be held within thirty (30) days of the receipt of the request for hearing, unless a continuance is requested by the petitioner or requested by the department and agreed to by the petitioner. At the hearing the petitioner and the department may present any evidence that is, in the ARO's view, relevant and material to the dispute.
- (4) Based on the petitioner's statement of fact, evidence presented at the hearing, if one (1) was requested, and any other relevant and material evidence available, the ARO shall issue a written decision on the petition. The ARO may grant, deny or modify the petition.
- (5) The ARO's decision shall be final and binding and shall be issued to the petitioner within ninety (90) days of receipt by the director of the petition for adjustment if no hearing was requested, or ninety (90) days from the conclusion of the hearing.

(c) The petitioner may appeal the ARO's final determination to the board, provided that the board has received written notice of appeal within thirty (30) days of the petitioner's receipt of the ARO's final determination.

(d) The board shall notify the petitioner of the time and place of the hearing on the petitioner's appeal. The petitioner shall have the burden of proving that he/she is entitled to an adjustment of the stormwater user fees.

(e) At the hearing, the board shall consider any relevant and material evidence available in determining whether the petitioner is entitled to an adjustment of the stormwater user fees. The hearing shall be recorded by audiotape.

(f) The board may grant, deny or modify the petition for adjustment. If the board determines that the petitioner is entitled to an adjustment of the stormwater user fees, the board may, in its sole discretion, make such adjustment in the form of a refund or a credit against future stormwater user fees, or both.

(g) Persons applying for credits as provided in [section 676-303](#) of this article shall follow the procedures set out in that section. Appeals of credit determinations and appeals of ~~revocation~~ termination of credits shall be governed by the procedures in this section except that a petition for review of a credit determination or a petition for review of a credit ~~revocation~~ termination must be received by the director within sixty (60) days of receipt of the credit determination or ~~revocation~~ termination.

SECTION 4. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 5. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 6. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 250, 2014. Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal No. 250, 2014 on November 17, 2014. The proposal, sponsored by Councillor Moriarty Adams, requests that the Metropolitan Development Commission initiate a proposal to amend and make additions to existing zoning ordinances to allow digital advertising signs in Marion County with appropriate restrictions. By a 5-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Robinson moved, seconded by Councillor Miller, to return the proposal to committee.

Councillor Miller said that the information that was posted online last week was inaccurate, and it was just corrected today. Councillor Moriarty Adams agreed, and said that public vetting is very important and more information is needed and more time to consider the issues. Councillor Robinson said that if the proposal is returned to committee, they will hear it on January 26, 2015.

Proposal No. 250, 2014 was returned to committee on the following roll call vote; viz:

28 YEAS: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Tew
0 NAYS:
1 ABSENT: Holliday

PROPOSAL NO. 274, 2014. Councillor Barth reported that the Rules and Public Policy Committee heard Proposal No. 274, 2014 on September 18 and November 11, 2014. The proposal, sponsored by Councillors Sandlin, Freeman, Hunter, McQuillen and Holliday, amends the Code to limit signage allowed on the floor of the council chamber. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it be defeated. Councillor Barth moved, seconded by Councillor Mansfield, to defeat.

Councillor Sandlin said that he introduced this proposal to address decorum in this chamber. Many other bodies, including the Indiana House of Representatives have policies or rules in place regarding signage relative to issues before the body. He said that he is not trying to limit the First Amendment right for people to express their opinion, but he believes it is professional to have some rules of decorum. He said that he was contacted by members of the community and city employees who were offended by a recent display by certain members. While all Councillors have a right to their opinion, expressing them through displays in this chamber affects the entire body. He said that it would be appropriate to make announcements or comments regarding any

issue as a Councillor feels led, but some rules need to apply to these kinds of inappropriate displays.

Councillor Oliver said that this is a democracy where free speech is allowed. He said that he has seen a lot of free speech that was offensive to him as a black man in his life. He asked Counsel Biesecker what constitutes offensive and free speech in a democracy. Mr. Biesecker said that many have spent their entire lives trying to decide the difference about what is protected as free speech. This does not mean that there is not a legitimate time, place and manner on speech as to occasional restrictions on what is said and how.

Councillor Sandlin said that he is not asking to restrict t-shirts or signs in the audience, but only signage on the Council floor that is not related to Council business. He said that he is addressing decorum, not freedom of speech.

Councillor Gray said that the sign that initiated this was no more offensive than some members' vote this evening on Proposal No. 215, 2014.

Councillor Lutz said that while Councillor Sandlin's motives seem to be pure, personal views are more than acceptable for expression in this chamber. He said that this is where a healthy exchange of ideas should take place, regardless if some view are found to be offensive. Therefore, he would not want that to be limited, so he supports the First Amendment and supports the motion to defeat Proposal No. 274, 2014.

Councillor Simpson moved, seconded by Councillor Gray, to call the question and end debate. Debate was ended on the following roll call vote; viz:

17 YEAS: Barth, Cain, Clay, Gray, Hickman, Jackson, Lewis, Mansfield, Mascari, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Shreve, Simpson
10 NAYS: Adamson, Evans, Freeman, Gooden, Hunter, Lutz, McHenry, Sandlin, Scales, Tew
1 NOT VOTING: McQuillen
1 ABSENT: Holliday

Proposal No. 274, 2014 was defeated on the following roll call vote; viz:

20 YEAS: Adamson, Barth, Clay, Gooden, Gray, Hickman, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, Miller, Moriarty Adams, Oliver, Osili, Robinson, Scales, Simpson, Tew
8 NAYS: Cain, Evans, Freeman, Hunter, McQuillen, Pfisterer, Sandlin, Shreve
1 ABSENT: Holliday

PROPOSAL NO. 291, 2014. Councillor Barth reported that the Rules and Public Policy Committee heard Proposal No. 291, 2014 on November 11, 2014. The proposal, sponsored by Councillors Robinson and Mahern, amends the Code to add certain protections for the homeless. By a 4-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Barth moved, seconded by Councillor Gray, to return Proposal No. 291, 2014 to committee.

Councillor Robinson said that he reluctantly agreed to return this to committee, as it has been vetted thoroughly with homeless organizations. However, it behooves him to return it to committee and work with those in opposition, but it is that important a cause and needs to be passed to finally do something for the poor in this community.

Councillor Jackson said that there is no doubt there is a homeless issue in this city, but some language needs to be changed for legal reasons, and she is willing to work with Councillor Robinson in finding a solution.

Councillor Miller said that he voted in favor of the “hardest hit” funds, sidewalk repairs, federal grants for low income housing needs, the meadows tax increment financing, and these are all examples of this Council supporting the needs of the poor. He said that more important than throwing barbs would be working on solutions. The committee heard almost two hours of testimony, and he understands the need with homeless camps located in his district. However, faith-based organizations making barbs against service providers like the Horizon House, who have done so much to help this city’s population concerns him. He said that these organizations profess the name of Jesus, but then throw barbs, and he would rather they all thank God for the service providers who help combat the root of homelessness. He said that this is not a competition about who is doing a better job, but they need to work together. He said he would like to see this broken into two separate proposals, as he cannot support it as it is. This community desperately needs an engagement center, and he would like to start over on this issue and make something that really works, and he is committed to helping find a solution.

Councillor Hunter asked if a fiscal impact will be provided regarding the 90-day provision, including the impact on public safety. Councillor Robinson said that if it is returned to committee, this will be provided.

Councillor Adamson said that he supports 99.9% of this proposal and believes with some tweaking, they can get a majority to support it.

Councillor Robinson said that they are not starting over. This proposal was written for the homeless, not for the faith-based organizations, the service providers, the administration or the Council.

Councillor Hickman said that she is in favor of the intent, but some tweaking is needed. She said that she does not believe anyone in this room does not support the effort to help the homeless, but they need to make sure they are also taking care of the root cause of homeless, such as mental illness. She supports the motion to return the proposal to committee.

Councillor Lutz said that the homeless should be treated with respect, but part of the Council’s job is to be aware of the impact of their decisions on all citizens. They still do not know the cost of this action, and he had asked in committee that it be postponed until that is known. Councillor Robinson said that the total cost of the operation of an engagement center is \$678,00. One hundred storage units would cost \$17,000. This is less than \$1 million a year to help the homeless. Councillor Lutz said that this does not include the \$1.3 to \$1.5 million cost of creating the structure, even though he understands there is a family trust commitment of \$750,000 toward that project; but the operation costs could go up depending on the number of beds. If there are 9,500 homeless people in the city, 50 beds would not be enough. He asked how many more beds would be needed and what the cost per bed would be. Councillor Robinson said that he is intrigued that Councillor Lutz said no financial component was provided, but he is questioning the numbers that he has been given. He said that today is not the time for that. Councillor Lutz said that it would have been nice to have had these numbers just mentioned more than 30 seconds ago.

Councillor Hunter said that an ad hoc verbal financial given on the floor does not cut it, and they have all asked for this information and should have had it prior to this meeting. Councillor Lutz has valid questions and concerns about the way numbers are being shared.

Councillor Freeman said that all members are elected by this great community who expects more from this body. He understands they are a year from an election, but he would hope they can find a way to respect one another and not disparage one another. Fundamental disagreements are fine, but respect needs to be shown even when opinions differ. He said if he had not provided information requested over and over again until the moment of voting on an item, he would not expect his colleagues to be happy with him.

Councillor Simpson moved, seconded by Councillor Gray, to call the question and end debate. Debate was ended on the following roll call vote; viz:

21 YEAS: Adamson, Barth, Cain, Clay, Evans, Gray, Hickman, Jackson, Lewis, Mansfield, Mascari, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Shreve, Simpson, Tew
6 NAYS: Freeman, Gooden, Hunter, Lutz, McHenry, Sandlin
1 NOT VOTING: Scales
1 ABSENT: Holliday

Proposal No. 291, 2014 was returned to committee on the following roll call vote; viz:

15 YEAS: Adamson, Barth, Clay, Gray, Hickman, Jackson, Lewis, Mansfield, Mascari, Moriarty Adams, Oliver, Osili, Robinson, Simpson, Tew
12 NAYS: Cain, Evans, Freeman, Gooden, Hunter, Lutz, McHenry, McQuillen, Miller, Pfisterer, Sandlin, Shreve
1 NOT VOTING: Scales
1 ABSENT: Holliday

PROPOSAL NO. 304, 2014. Councillor Oliver reported that the Parks and Recreation Committee heard Proposal No. 304, 2014 on October 16 and November 13, 2014. The proposal, sponsored by Councillors Lewis, Barth, Mansfield, Robinson and Adamson, amends the Code to require Council approval before firearms may be discharged in city parks. By a 5-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Oliver moved, seconded by Councillor Adamson, for adoption.

Councillor McHenry said that she thought the purpose was not to just discharge firearms, but for the killing of deer. There was only one purpose in mind when drafting this ordinance, and she wanted to make that clear. Mr. Biesecker agreed that this is the intent.

Councillor Mansfield said that there should have been Council approval before the last deer kill was approved, with more statistics and data available. This community uses its parks, and they need to be more thoughtful on how firearms are used in parks where people are frequenting.

Councillor Oliver said that the Parks Board has the sole authority to issue permits, and this proposal simply empowers elected representatives to be a part of that decision-making process.

Councillor Sandlin said that the Parks Board has the sole authority, but this body appoints members to that board. If they are going to micro-manage these boards, then what's the purpose of appointing anyone at all. An informational presentation was made before the committee

before the park board approved the event, so there would have been time for committee members to express concerns to the Council's appointment to that board.

Councillor Jackson said that many parks are in the middle of residences where children play and live, and the method they are using to get rid of the deer, and setting up these hunts, does not lend to the safety of their children. When it comes to the safety of this city's citizens, especially children, then the Council needs to have a say.

Proposal No. 304, 2014 was adopted on the following roll call vote; viz:

19 YEAS: Adamson, Barth, Clay, Evans, Gray, Hickman, Jackson, Lewis, Mansfield, Mascari, McHenry, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Scales, Simpson, Tew
9 NAYS: Cain, Freeman, Gooden, Hunter, Lutz, McQuillen, Miller, Sandlin, Shreve
1 ABSENT: Holliday

Proposal No. 304, 2014 was retitled GENERAL ORDINANCE NO. 44, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 44, 2014

PROPOSAL FOR A GENERAL ORDINANCE amending Section 631-108 of the Revised Code to require Council approval before firearms may be discharged in city parks.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 631-108 of the Revised Code is hereby amended by adding the words that are underlined, as follows:

(a) It shall be unlawful for any person, unless authorized by resolution of the board of parks and recreation, to discharge any firearms or other explosive devices, or to endanger others by the use of any weapon, article or device, within any park, playground or on any property controlled or leased by the department of parks and recreation, or on which a concession has been granted by it. It shall also be unlawful for any person, unless authorized by resolution of both the board of parks and recreation and the City-County Council, to discharge any firearms or other explosive devices, or to use any other weapon, article or device, within any park, playground or on any property controlled or leased by the department of parks and recreation, or on which a concession has been granted by it, for the purpose of or in connection with the killing of deer.

(b) This section shall not apply to humane use of weapons or other devices used by authorized government agencies in disposing of injured animals.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 322, 2014. Councillor Mansfield reported that the Administration and Finance Committee heard Proposal No. 322, 2014 on November 18, 2014. The proposal, sponsored by Councillors Moriarty Adams and Pfisterer, authorizes the County Commissioners to dispose of certain parcels that have an appraised value of \$50,000 or more. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Mansfield moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 322, 2014 was adopted on the following roll call vote; viz:

26 YEAS: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Tew
0 NAYS:
2 NOT VOTING: Oliver, Simpson

1 ABSENT: Holliday

Proposal No. 322, 2014 was retitled GENERAL RESOLUTION NO. 17, 2014, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 17, 2014

A PROPOSAL FOR A GENERAL RESOLUTION for the City-County Council to give approval to the Board of Commissioners of Marion County (hereinafter "Board") to dispose of certain parcels that have an appraised value of Fifty Thousand Dollars (\$50,000.00) or more.

WHEREAS, Marion County, pursuant to IC 6-1.1-25-4, is eligible to take title to certain parcels of surplus real property, by virtue of such parcels being unsuccessfully offered for sale to collect delinquent property taxes and special assessments; and

WHEREAS, Executive Order No. 3, 1995 by the Mayor of the Consolidated City-County, designates the Board to act as the disposing agent of surplus real property titled to Marion County; and

WHEREAS, IC 36-1-11-3 provides that the fiscal body of a unit must approve every sale of real property having an appraised value of Fifty Thousand Dollars (\$50,000.00) or more; and

WHEREAS, the Board would like to dispose of certain parcels of real property that have an appraised value of Fifty Thousand Dollars (\$50,000.00) or more; and

WHEREAS, the aforementioned parcels of real property are described in "Exhibit A," which is attached hereto; and

WHEREAS, the City-County Council, having considered the disposal of the parcels and being duly advised, desires to have the Board dispose of the parcels of real property described in Exhibit A according to the procedures established by IC 6-1.1-25-9; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council, pursuant to the authority granted under IC 36-1-11-3 and Executive Order No. 3, 1995, hereby gives its approval to the Board of Commissioners of Marion County to dispose of the parcels of real property described in Exhibit A (a copy of which is attached to the official copy of this resolution on file with the Clerk of the Council).

SECTION 2. Any disposal of property by the Board shall comply with IC 6-1.1-25-9.

SECTION 3. For purposes of Sec. 151-66 of the "Revised Code of the Consolidated City and County," the parcels listed in Exhibit A are eligible for Marion County to take title to them.

SECTION 4. This resolution shall be in full force and effect from and after its passage by the City-County Council and compliance with Indiana Code § 36-3-4-14.

PROPOSAL NO. 349, 2014. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 349, 2014 on November 12, 2014. The proposal, sponsored by Councillors Moriarty Adams and Lewis, approves certain public purpose grants totalling \$323,750 from the Drug Free Community Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Moriarty Adams moved, seconded by Councillor Cain, for adoption. Proposal No. 349, 2014 was adopted on the following roll call vote; viz:

25 YEAS: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Hunter, Jackson, Lewis, Lutz, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Tew

0 NAYS:

3 NOT VOTING: Mansfield, Oliver, Simpson

1 ABSENT: Holliday

Proposal No. 349, 2014 was retitled GENERAL RESOLUTION NO. 18, 2014, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 18, 2014

PROPOSAL FOR A GENERAL RESOLUTION to approve certain public purpose grants totaling \$323,750 from the Drug Free Community Fund.

WHEREAS, Indiana Code § 5-2-11-5 and the Revised Code of Indianapolis and Marion County Sec. 135-298 requires the sums appropriated from the Drug Free Community fund shall not be spent until the City-County Council approves the amount of each grant recipient; now therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The following grants and administrative expenses in the total amount of Three Hundred Twenty-Three Thousand and Seven Hundred and Fifty Dollars (\$323,750) from the Drug Free Community Fund are hereby approved in the following amounts and projects, and for the following organizations:

Drug Free Community Fund
2015 Annual Grant Awards

I. PREVENTION/EDUCATION

<u>Organization</u>	<u>Project</u>	<u>Amount</u>
Indianapolis Parks Foundation	CHOICE Program	\$16,250
Boys and Girls Clubs of Indianapolis	SMART Moves	\$16,250
John H. Boner Community Center	EDGE Program	\$16,250
Indianapolis Public Schools	ATOD Data Strategies	\$16,250
Avondale Meadow YMCA	Y- Future Leaders Mentoring Program	<u>\$16,250</u>
	Subtotal	\$81,250

II. INTERVENTION/TREATMENT

<u>Organization</u>	<u>Project</u>	<u>Amount</u>
HealthNet Inc./Homeless Initiative Project	Community Outreach Task (COT) Force	\$16,250
Pathway to Recovery	Pathway Supportive Housing Program	\$16,250
PACE Inc.	PACE Restoring Recovery	\$16,250
Gallahue Behavioral Health Services	Supported Assisted Living Project	\$16,250
Horizon House	Street Outreach Rapid Response Team (SORRT)	<u>\$16,250</u>
	Subtotal	\$81,250

III. LAW ENFORCEMENT/CRIMINAL JUSTICE

<u>Organization</u>	<u>Project</u>	<u>Amount</u>
Marion County Drug Treatment Diversion	Diversion Court	\$20,000
Marion County Drug Treatment Diversion	Re Entry Court	\$20,000
Step UP Inc.	Youth at Risk Program	\$20,000
John P. Craine House	One More Step Forward	<u>\$20,000</u>
	Subtotal	\$80,000

IV. ADMINISTRATION

<u>Organization</u>	<u>Project</u>	<u>Amount</u>
Drug Free Marion County	Administration & Grant Oversight	<u>\$81,250</u>
		Subtotal \$81,250
Grand Total		\$323,750

SECTION 2. This resolution shall be in effect from and after its passage by the Council and compliance with Indiana Code § 36-3-4-14.

Councillor Adamson reported that the Public Works Committee heard Proposal Nos. 352-365, 2014 on November 20, 2014. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 352, 2014. The proposal, sponsored by Councillor Osili, authorizes parking restrictions on Pennsylvania Street between 11th and 13th Streets and on 13th Street between Delaware and Pennsylvania Streets (District 15). PROPOSAL NO. 353, 2014. The proposal, sponsored by Councillor Scales, authorizes intersection controls at Chester East and West Drives (District 4). PROPOSAL NO. 354, 2014. The proposal, sponsored by Councillor Jackson, authorizes intersection controls at Sheffield Drive and Rouark Lane (District 18). PROPOSAL NO. 355, 2014. The proposal, sponsored by Councillor Freeman, authorizes intersection controls in the Misty Woods subdivision (District 25). PROPOSAL NO. 356, 2014. The proposal, sponsored by Councillor Freeman, authorizes intersection controls at Chris Anne Drive and Gunyon Way (District 25). PROPOSAL NO. 357, 2014. The proposal, sponsored by Councillor Pfisterer, authorizes U-turn limitations on West 10th Street near Mount Auburn Drive (District 14). PROPOSAL NO. 358, 2014. The proposal, sponsored by Councillor Freeman, authorizes intersection controls in the Red Fox Commons subdivision (District 25). PROPOSAL NO. 359, 2014. The proposal, sponsored by Councillor Jackson, authorizes intersection controls in the Rosswood subdivision (District 18). PROPOSAL NO. 360, 2014. The proposal, sponsored by Councillor Jackson, authorizes intersection controls in the Bells Run subdivision (District 18). PROPOSAL NO. 361, 2014. The proposal, sponsored by Councillor Lutz, authorizes intersection controls in the Wayne Commons subdivision (District 13). PROPOSAL NO. 362, 2014. The proposal, sponsored by Councillor Cain, authorizes intersection controls at Village Way and Woodstone Way West Drive (District 5). PROPOSAL NO. 363, 2014. The proposal, sponsored by Councillor Holliday, authorizes parking restrictions on Santa Fe Drive between Yuma Court and Liberty School (District 22). PROPOSAL NO. 364, 2014. The proposal, sponsored by Councillor Holliday, authorizes intersection controls in the Northfield at Heartland Crossing subdivision (District 22). PROPOSAL NO. 365, 2014. The proposal, sponsored by Councillor Lewis, authorizes parking restrictions on Auburn Road near the Carl Wilde School (District 7). By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Adamson moved, seconded by Councillor Cain, for adoption. Proposal Nos. 352-365, 2014 were adopted on the following roll call vote; viz:

21 YEAS: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Hunter, Lewis, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Robinson, Sandlin, Scales, Shreve, Tew

0 NAYS:

7 NOT VOTING: Jackson, Lutz, Mansfield, Mascari, Oliver, Pfisterer, Simpson

1 ABSENT: Holliday

Proposal No. 352, 2014 was retitled GENERAL ORDINANCE NO. 45, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 45, 2014

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 621-122, Stopping, standing or parking prohibited at all times on certain designated streets and Sec. 621-121, Parking prohibited at all times on certain streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 621-122, Stopping, standing or parking prohibited at all times on certain designated streets, be and the same is hereby amended by the deletion of the following, to wit:

Pennsylvania Street, on the east side, from Thirteenth Street to a point 395 feet south of Eleventh Street;

Pennsylvania Street, on the west side, from Eleventh Street to Twelfth Street;

SECTION 2. That the Revised Code of the Consolidated City and County, Indianapolis/Marion County, Indiana, specifically Sec. 621-121, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the deletion of the following, to wit:

Thirteenth Street, on both sides, from Delaware Street to Pennsylvania Street;

SECTION 3. That the Revised Code of the Consolidated City and County, Indianapolis/Marion County, Indiana, specifically Sec. 621-122, Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby amended by the addition of the following, to wit:

Pennsylvania Street, on the east side, from a point 395 feet south of Eleventh Street to a point 100 feet north of Twelfth Street;

Thirteenth Street, on the north side, from Delaware Street to Pennsylvania Street;

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 353, 2014 was retitled GENERAL ORDINANCE NO. 46, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 46, 2014

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
4	Chester E. Drive Chester W. Drive	Chester E. Drive	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 354, 2014 was retitled GENERAL ORDINANCE NO. 47, 2014, and reads as follows:

December 1, 2014

CITY-COUNTY GENERAL ORDINANCE NO. 47, 2014

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
21	Rouark Ln Sheffield Dr	Sheffield Dr	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
21	Rouark Ln Sheffield Dr	None	All-Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 355, 2014 was retitled GENERAL ORDINANCE NO. 48, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 48, 2014

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
47	Southport Rd Misty Woods Ln	Southport Rd	Stop
47	Winterwind Ct Winterwind Ln Misty Woods Ln	Misty Woods Ln	Stop
47	Autumn Breeze Ct Misty Woods Ln	Misty Woods Ln	Stop
47	Autumn Breeze Ln Misty Woods Ln	Misty Woods Ln	Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 356, 2014 was retitled GENERAL ORDINANCE NO. 49, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 49, 2014

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
47	Chris Anne Dr Gunyon Way	Gunyon Way	Stop

SECTION 2. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
47	Chris Anne Dr Gunyon Way	None	All-Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 357, 2014 was retitled GENERAL ORDINANCE NO. 50, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 50, 2014

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-335, Limitations on u-turns.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-335, Limitations on u-turns, be and the same is hereby amended by the addition of the following, to wit:

The driver or operator of any vehicle shall not turn such vehicle so as to proceed in the opposite direction by a U-turn at the end of the median of *5800 West 10th Street*.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 358, 2014 was retitled GENERAL ORDINANCE NO. 51, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 51, 2014

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

December 1, 2014

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
47	Swift Fox Ct Sly Fox Ln	Sly Fox Ln	Stop
47	Peaking Fox Ln Sly Fox Ln	Sly Fox Ln	Stop
47	Sly Fox Dr Sly Fox Ln	Sly Fox Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 359, 2014 was retitled GENERAL ORDINANCE NO. 52, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 52, 2014

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
30	Rosswood Blvd Rossington Ln Plum Ridge Ct	Rosswood Blvd	Stop
30	Rosswood Blvd Twenty-First St	Twenty-First St	Stop
30	Rosswood Blvd Maple Run Ct	Rosswood Blvd	Stop
30	Rosswood Blvd Waterleaf Ct	Rosswood Blvd	Stop
30	Rosswood Blvd Wildbriar Pl	Rosswood Blvd	Stop
30	Wildbriar Pl Tucker Dr Gosling Dr	Gosling Dr Tucker Dr	Stop
30	Gosling Dr Rossington Ln	Gosling Dr	Stop
30	Gosling Dr Cumberland Rd	Cumberland Rd	Stop
30	Maple Run Ct Tucker Dr Tucker Ct	Maple Run Ct	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 360, 2014 was retitled GENERAL ORDINANCE NO. 53, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 53, 2014

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
21	Bellchime Dr Windchime Ct	Bellchime Dr	Stop
21	Bellchime Dr Rhapsody Ln	Bellchime Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 361, 2014 was retitled GENERAL ORDINANCE NO. 54, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 54, 2014

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
29	Glenhall Cir Morris St	Morris St	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 362, 2014 was retitled GENERAL ORDINANCE NO. 55, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 55, 2014

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18	Village Way Woodstone Way West Dr	Village Way	Stop

December 1, 2014

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18	Village Way Woodstone Way West Dr	None	All-Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 363, 2014 was retitled GENERAL ORDINANCE NO. 56, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 56, 2014

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-122, Stopping, standing or parking prohibited at all times on certain designated streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-122, Stopping, standing or parking prohibited at all times on certain designated streets, be and the same is hereby amended by the addition of the following, to wit:

Santa Fe Drive, from Yuma Court to School Property Line

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 364, 2014 was retitled GENERAL ORDINANCE NO. 57, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 57, 2014

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
43	Adam Mills Pl Ingalls Ln	Adam Mills Pl	Stop
43	Adam Mills Pl Hopewell Ct	Adam Mills Pl	Stop
43	Ingalls Way Wheatfield Dr	Wheatfield Dr	Stop
43	Belle Union Dr Ligonier Dr	None	All-Way Stop
43	Ash Grove Dr Ligonier Dr	Ligonier Dr	Stop
43	Wanda Lake Dr	Ligonier Dr	Stop

	Ligonier Dr		
43	Burket Way Ligonier Dr Ossian Ct	Burket Way Ligonier Dr	Stop
43	Gates Corner Dr Ossian Ct	Ossian Ct	Stop
43	Gates Corner Dr Wheatfield Dr	Wheatfield Dr	Stop
43	Wheatfield Dr Burket Way	Wheatfield Dr	Stop
43	Wheatfield Dr Wanda Lake Dr	Wheatfield Dr	Stop
43	Ash Grove Dr Wheatfield Dr	Wheatfield Dr	Stop
43	Belle Union Dr Wheatfield Dr	Wheatfield Dr	Stop
43	Belle Union Dr Ralston Rd Trotter Rd	Trotter Rd	Stop
43	Gates Corner Dr Trotter Rd	Trotter Rd	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 365, 2014 was retitled GENERAL ORDINANCE NO. 58, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 58, 2014

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-107, Limited parking area-school.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. That the Revised Code of the Consolidated City and County, Indianapolis/Marion County, Indiana, specifically Sec. 621-107, There is hereby created a "limited parking area—school" within the city, and it shall be unlawful for the operator of any vehicle, other than official public vehicles or school buses, to park the vehicle or to permit it to be parked in the "limited parking area—school" within the city between the hours of 7:00 a.m. and 4:00 p.m., inclusive, on all days that the elementary schools are in operation, be, and the same is hereby amended by the addition of the following, to wit:

Auburn Road, on the east side, from Thirty-fourth Street to Thirty-fourth Place;

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 367, 2014. Councillor Barth reported that the Rules and Public Policy Committee heard Proposal No. 367, 2014 on November 11, 2014. The proposal, sponsored by Councillors Lewis, Barth, Talley, Robinson, Hickman, Moriarty Adams, Osili, Miller, Hunter and Shreve, amends the Code to create a new non-reverting Indianapolis pre-k fund; add the community affairs and education committee as a standing committee of the council; repeal the

council rule on approval of charter schools; replace such rule with a new one giving the community affairs and education committee oversight of the Indianapolis pre-k program; and establish the Indianapolis pre-k program. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Barth moved, seconded by Councillor Moriarty Adams, for adoption.

Councillor Adamson made the following motion:

Madam Chair:

I move to amend Section 4 of Proposal No. 367, 2014, specifically Sec. 202-608 (h), by deleting the language that is stricken-through and adding the language that is double-underlined in the highlighted portion, to read as follows:

(h) The office or program administrator shall submit quarterly reports on the program to the community affairs and education committee. The quarterly reports shall include, at a minimum, current information on enrollment, attendance, number of eligible providers, ~~and~~ results of the kindergarten readiness assessments, and the number of children who participated in the pre-k program and went on to kindergarten. These reports shall also be posted on the office's website.

Councillor Lutz seconded the motion, and Councillor Barth said that the amendment makes it clear, and he supports it.

Councillor McHenry encouraged Councillors to lobby their legislators to make kindergarten mandatory and not optional, as a lot more children would have a better head start toward a good future.

Proposal No. 367, 2014 was amended on the following roll call vote; viz:

24 YEAS: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Hunter, Lewis, Lutz, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Tew

1 NAY: Simpson

3 NOT VOTING: Jackson, Mansfield, Oliver

1 ABSENT: Holliday

Councillor Hickman applauded Councillor Barth for his initiative, and said that they need to continue to work with all students for better futures.

Councillor Freeman said that he is happy this body will come together to pass this bi-partisan initiative, and he understands the Mayor is very emotional and passionate about the issue, as well. He said that education has served him well in his life, and his children are enrolled in a pre-school program, and he cannot over-emphasize the importance of early education. He said that he wants this program to succeed, but when it comes time to fund this, he wants to make it clear that not one cent should come from IMPD or public safety funds; or he will no longer be able to support it. If another mechanism is found to fund the program, he is happy to support it.

Councillor Scales said that each year this Council has to make difficult choices on how to allocate the funds available to them, while making compelling arguments for more funds. This city did not honor public safety contracts for pay and benefits, they are using out-of-date fire apparatus, parks services are being cut and pools are being closed. There is a long laundry list of items that this city is responsible for maintaining and keep functioning and this administration is not even meeting those minimum requirements. In this time of many unmet budget needs, pre-school is not a priority. These other needs cannot be met by the state or a not-for-profit. She said she

cannot in good conscience approve funds for a new programs when they cannot meet their current obligations and do not have the funds to meet their current budget. She said that if this administration had not spent mega millions of dollars for billionaires and their projects, then there might be money for a pre-k program; but she would encourage Eli Lilly and other corporations to dig deep, because the city does not have this money to spend.

Councillor McQuillen said that this is a proposal that has developed more interest than anything he has seen in seven years, and the enthusiasm he saw at today's rally excites him. It is a small amount of money for such a huge benefit, and the corporate sponsors have already stepped up dramatically to invest, and it is a public/private partnership unlike any he has ever seen. That is why he is happy to be listed as a co-sponsor.

Councillor Adamson said that he would also like to be added as a co-sponsor. While it has been said that this is an issue for the State to deal with, he agrees 100%; but like many things that are the State's job to address, they have failed to do so. This issue is far too important for this body to throw their hands up in the air and wait for the State to do something.

Councillor Pfisterer said that this body just spent all of August and September listening to agencies asking for money. There are so many agencies underfunded, such as the Animal Care and Control (ACC) division and Guardian Ad Litem program. She said that education is not the city's responsibility, and the city needs to first take care of their responsibilities. She said that this will become another unfunded mandate from the State and ultimately the city's responsibility, but in the meantime, the State needs to take responsibility.

Councillor Hickman said that she would rather put a book in the hands of a three or four-year-old than another pool in the neighborhood, as there are more future building blocks in education.

Councillor Lutz said that he was concerned when first approached about this initiative, because the public safety tax was being looked at to fund this. He supports a pre-k program, but will be looking very closely at the funding source when it comes along. It is valid that this is the State's responsibility, but this body has also had two or three opportunities to eliminate the homestead credit, which could be used for education, and they have not done that. He said that they have to fund their children's and community's future, and this is one of those proposals that will bear great results in the long-term. It is a good return on the investmne and is critical that they do this.

Councillor Tew said that Marion County gives the rest of the state \$300 million of their tax money every single year, and they should be getting a bigger bang for their buck from what they are providing the State. He said that this is a great investment, and he is proud to support it.

Councillor Sandlin said that when the Mayor introduced this concept, he thought it was a bold and innovative move, but he will be prudent and watch the funding source, because if it takes away from public safety, he cannot support it.

Councillor Miller said that this is a moral imperative and every child deserves a fair shot at life. He said that this is not a daycare, but is pre-school, and his son is doing well in school because he had that opportunity, and all children need that same advantage.

Councillor Oliver said that this city is facing a crime crisis, and education is not going to solve home invasions and murder. He said that they may see some results 15 to 20 years down the road, but they are not doing anything to solve the crime problem this city is facing now. There was \$82 million of education money on the table that this administration refused to go get, but

education is not the city's responsibility, and it will ultimately take money from another priority. He supports public education, but cannot support it when funding could go toward making citizens feel safe in their own homes this evening.

Councillor Shreve said that this is a small victory and there is still work to do, and they need to continue to find a way to fund the program.

Councillor Simpson said that he agrees with some reasons that have been given for non-support, and he also has serious concerns that taxpayer money is not being used for what was promised. He said that there was a commitment made to fund new police officers, and now there are so many other funding issues, including guardian ad litem, drug use by adolescents, and the appalling condition of the ACC, that no one is talking about. He said that they need to deal with the problems they are charged with providing services for, and while pre-k is important, these other responsibilities are also important, and he cannot support the proposal.

Councillor McHenry said that as a former educator, she saw children coming into the first grade that were behind and never really caught up, but just got further and further behind. She said that she is glad they are doing this, but this is just a small part of what needs to be done. She challenged churches, schools and libraries to help educate parents to be good parents and role models to also help with educational goals.

Councillor Gray asked what Plan B is when the Lilly money runs out. Councillor Barth said that this is a five-year pilot program, and it was designed that way to help the State step up to its responsibility.

Councillor Evans said that it is good to see bi-partisan support for an issue that benefits kids, but he has concerns about who will get this money, and is concerned that organizations will take these funds out of state. He hopes they will stay local with their funding and promote local groups, but he does not think that will happen.

Councillor Mascari said that he hopes State officials are watching and understand this financing need for the entire State. He said that he is happy to say they are able to do this without eliminating the homestead credit.

Councillor Lutz said that Wayne Township currently has a pre-k program, and this type of program is a seed and they have to start somewhere. He said that if they do not start today, they will continue to put it off, and he hopes they will start to see some State money as the program grows.

Councillor Hickman said that they are not taking public safety money for this and are not raising taxes. This is a five-year program, not a lifetime commitment. Nothing worth doing well is easy, and this is not an end-all for addressing crime, but is a start.

Councillor Cain said that there are a lot of wonderful ideas, and it is important for this body to help where they can. As a private citizen, she gives her time and money to many different causes, but as a Councillor, she is a guardian of taxpayer dollars. Public safety, government services, infrastructure and economic development should be the priority of taxpayer dollars. She encourages Lilly and other corporations to invest in things like the pre-k program, but the city budget cannot afford to create a new funding item, especially when schools are not local government's responsibility. She said that as a steward of taxpayer funds, she cannot support this

program, as there are already so many other needs that they are not meeting that they are supposed to be funding.

Councillor Robinson said that this is not either/or legislation, and is a quality of life issue. He said that education is the most fundamental issue that they can address and is more of a priority than brick and mortar.

Councillor Hunter said that this is a good debate, and big cities have to take the initiative to take care of their children, their future. He said that they need to continue this discussion beyond five years, and go to the other end of Market Street to show this issue's importance. When they ask what local government has done to help address it, they have this to show for it. He said that they can then ask for assistance in the right way and often big cities have to move these things forward.

Councillor Osili said that the most challenged individuals do not have choices. If this body does not act now, and instead decides to wait on the State, then there might be five years of children that would be impacted, over 3,500 to 6,500 children. He said that he had the opportunity to go to preschool, and he therefore has the obligation to make sure other children have that same opportunity. While it is the State's responsibility, when opportunities arise, they need to do what needs to be done to do the right thing. There are innumerable studies that show these kids have a far better chance of success and are less likely to be involved in crime. He said that it may be a long-term investment, but it is an investment worth doing. He added that Lilly executives promised to bang down the doors of the Statehouse asking them to step up and accept their responsibility, and he will hold them to that. He extended kudos to organizations like St. Mary's Child Development Center, who uses its own resources and its own transportation and knocks on doors to make sure all children have this opportunity. This shows the kind of commitment they all need to have for those who need it most.

Councillor Clay said that he does not think anyone would deny this is good for kids, but the issue is sustainability. The worst thing they could do is start something and then not follow through. After the pilot is over, what commitment is there to continue. He said that it is a good idea, but may not be the best idea because it does not address the most immediate issues that face the community today, such as safe streets and homes, youth-at-risk, and juvenile delinquents. These are things they need to address right now.

Councillor Freeman said that he is in the criminal courts daily as an attorney, where people are charged with crimes. Predominantly, the majority of these individuals are without education and a degree. He cannot predict that a three-year-old who goes to preschool will get a degree, but without it, they are put on a path to make it harder to achieve that degree. There are lots of problems that need addressing, and this is a long-term solution, but who is to say one child's better future is not reason enough to support this program.

Councillor Barth thanked Councillors for their support and stated that other big cities like Washington, D.C., Los Angeles, New York and Seattle have all taken this action. They have identified a problem, and not seeing any action from the General Assembly, they do not sit back and hope the elected officials will take action. This is a growing problem and the child poverty rate has doubled since 2000; nearly one-third of all Indianapolis children live in poverty. The Council can do something about it. They know early childhood education makes an impact; meeting after meeting of testimony has shown that. He said that he takes his daughter to preschool every day and knows that they are privileged to do so, but would like to do that for every child in Indianapolis.

Proposal No. 367, 2014, as amended, was adopted on the following roll call vote; viz:

19 YEAS: Adamson, Barth, Evans, Freeman, Gooden, Hickman, Hunter, Lewis, Lutz, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Robinson, Sandlin, Shreve, Tew
8 NAYS: Cain, Clay, Gray, Jackson, Oliver, Pfisterer, Scales, Simpson
1 NOT VOTING: Mansfield
1 ABSENT: Holliday

Proposal No. 367, 2014 was retitled GENERAL ORDINANCE NO. 59, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 59, 2014

PROPOSAL FOR A GENERAL ORDINANCE amending the Revised Code to: (1) create a new non-reverting Indianapolis pre-k fund; (2) add the community affairs and education committee as a standing committee of the council; (3) repeal the council rule on approval of charter schools and replace it with a rule giving the community affairs and education committee oversight of the Indianapolis pre-k program; and (4) establish the Indianapolis pre-k program.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Chapter 135, Article VII of the of the "Revised Code of the Consolidated City and County," is hereby amended by adding a NEW Section 135-791, to read as follows:

Sec. 135-791. Indianapolis pre-k fund created.

(a) There is hereby created a special fund, to be designated as the "Indianapolis pre-k fund," in the office of education innovation. This fund shall be a continuing, non-reverting fund, with all balances remaining therein at the end of the year, and such balances shall not revert to any city or county general funds.

(b) The purpose of this fund is to provide revenue for the creation, implementation and support of the Indianapolis pre-k program. The controller shall deposit in this fund all money provided for the pre-k program by all public and private sources.

(c) No money shall be expended from this fund without an appropriation by the Council.

SECTION 2. Section 151-25 of the "Revised Code of the Consolidated City and County" is hereby amended by adding the language that is underlined, and renumbering the remaining items, as follows:

Sec. 151-25. Standing committees enumerated.

The standing committees of the council shall be as follows:

- (1) The administration and finance committee;
- (2) The community affairs and education committee;
- (3) The ethics committee;
- (4) The metropolitan and economic development and code enforcement committee;
- (5) The municipal corporations committee;
- (6) The parks and recreation committee;
- (7) The public safety and criminal justice committee; and
- (8) The public works committee.

SECTION 3. Section 151-67 of the "Revised Code of the Consolidated City and County" is hereby amended by repealing the current language in its entirety, and substituting the following:

~~Sec. 151-67. Approval of charter schools:~~

~~(a) Whenever pursuant to IC 20-5.5 the mayor has recommended the issuance of a charter for a charter school in the consolidated city, such recommendation shall be referred to the committee on rules and public policy, and any councillor may introduce a proposal for a council resolution to approve the issuance of such charter.~~

~~(b) If the recommendation of the mayor has been approved by the committee on rules and public policy prior to the introduction of the proposal, such proposal shall be placed upon the agenda under Special Orders Priority Business, and eligible for passage upon the date of introduction. Unless the council adopts a motion permitted by subsection (c), the president shall immediately call for a vote on the proposal.~~

~~(c) The only motions that shall be in order under subsection (b) are a motion to refer the proposal to the committee on rules and public policy or a motion to postpone the proposal to the next regular meeting of the council.~~

~~(d) If the proposal is referred to the committee on rules and public policy, such committee shall report at the next meeting of the council. Regardless, of whether or not such committee meets and reports, the proposal shall be placed on the agenda of the next meeting under Special Orders Unfinished Business for action at that meeting.~~

Sec. 151-67. Oversight of Indianapolis pre-k program.

The community affairs and education committee shall, among other responsibilities, have oversight responsibility for the budget and expenditures of the Indianapolis pre-k program.

SECTION 4. Chapter 202, Article VI of the "Revised Code of the Consolidated City and County" is hereby amended by adding a NEW Section 202-608, to read as follows:

Sec. 202-608. Indianapolis Pre-K Program.

(a) As used in this Section, the following terms have the following meanings:

Eligible child refers to an individual who:

- (1) is at least three (3) years of age and less than five (5) years of age on August 1 of the year for which a grant is sought under the program;
- (2) is a resident of Marion County or otherwise has legal settlement in Marion County, as determined under IC 20-26-11;
- (3) subject to subsection (d), is a member of a household with an annual income that does not exceed one hundred twenty-seven percent (127%) of the federal poverty level;
- (4) receives qualified early education services from an eligible provider, as determined by the office (as defined below);
- (5) has a parent or guardian who participates in a parental engagement and involvement component provided by the eligible provider that includes a commitment to send the child to kindergarten; and
- (6) has a parent or guardian who agrees to ensure that the child meets the attendance requirements determined by the office.

Eligible provider refers to a provider that satisfies the following conditions:

(1) The provider is:

- (A) a:
 - (i) public school, including a charter school;
 - (ii) child care center licensed under IC 12-17.2-4;
 - (iii) child care home licensed under IC 12-17.2-5; or
 - (iv) child care ministry registered under IC 12-17.2-6;

that meets the standards of quality recognized by a Level 3 or Level 4 paths to QUALITY program rating; or

- (B) a school that is accredited by the state board of education or a national or regional accreditation agency that is recognized by the state board of education.

(2) The provider provides qualified early education services to eligible children.

(3) The provider is located in Marion County.

Office means the office of education innovation.

Paths to QUALITY program has the meaning set forth in IC 12-17.2-2-14.2(b).

Program administrator means an entity with whom the office enters into a contract for program administration services pursuant to subsection (b). A program administrator must have demonstrated experience in building capacity for early childhood education, managing awards of grants and scholarships, and community outreach.

Qualified early education services refers to a program of early education services that:

- (1) is provided by an eligible provider to an eligible child;
- (2) includes a parental engagement and involvement component provided by the eligible provider that includes a commitment to send the child to kindergarten; and
- (3) administers the kindergarten readiness assessment adopted by the state board of education.

(b) The office may enter into a contract for program administration services. Any contract for program administration services must be approved by council resolution and shall be subject to annual appropriations. The council intends and expects that administrative expenses will be limited to those absolutely necessary to carry out the program.

(c) Subject to the requirements of this Section, the office or program administrator shall determine:

- (1) the eligibility requirements, application process, and selection process for awarding grants under the program; provided, however, that no taxpayer funds may be used for grants to providers, and grants to providers shall be limited to twenty-five percent (25%) of non-taxpayer funds allotted to the program;
- (2) the administration and reporting requirements for eligible providers participating in the program; and
- (3) with the assistance of the Indianapolis pre-k advisory commission, an appropriate outcomes based accountability system for eligible providers.

(d) The office or program administrator shall, subject to the availability of funding, determine the number of eligible children who will participate in the program. If the number of eligible children exceeds the available funding, then the office or program administrator shall conduct a lottery process to select the eligible children who will participate in the program; provided, however, that at least twenty-five (25) percent of the eligible children selected must be three year olds, and that the office or program administrator shall use best efforts to meet the goal that fifty (50) percent of the eligible children selected be three year olds. If a family with multiple eligible children is selected, all eligible children from that family may participate in the program. If there are not enough otherwise eligible children who meet the income requirement of subsection (a) (3) and who would like to participate in the program, then the office or program administrator may, subject to approval by council resolution, select otherwise eligible children who are members of a household with an annual income that does not exceed one hundred thirty-eight percent (138%) of the federal poverty level. If there are still not enough otherwise eligible children who meet the 138 percent income requirement, then the office or program administrator may, subject to approval by council resolution, select otherwise eligible children who are members of a household with an annual income that does not exceed one hundred eighty-five percent (185%) of the federal poverty level.

(e) The office or program administrator shall determine: (1) which applicants shall be awarded a grant; and (2) subject to subsection (f) and to the availability of funding, the amount of such grant. The parents or guardians of an eligible child will direct the selection of an eligible provider, with the assistance and guidance of the program administrator.

(f) At least ten percent (10%) but not more than fifty percent (50%) of the tuition for eligible children under the program during each year must be paid from donations, gifts, grants, bequests, and other funds received from a private entity or person, from the United States government, from the State of Indiana, or from other sources.

(g) The amount of a grant made under this program to an eligible child must equal at least \$2,500 during the school year, and may not exceed \$6,800 during the school year.

(h) The office or program administrator shall submit quarterly reports on the program to the community affairs and education committee. The quarterly reports shall include, at a minimum, current information on enrollment, attendance, number of eligible providers, results of the kindergarten readiness assessments, and the number of children who participated in the pre-k program and went on to kindergarten. These reports shall also be posted on the office's website.

(i) In addition to the quarterly reports, the office or program administrator shall submit detailed evaluations of the program to the community affairs and education committee upon the conclusion of the first and second full years of the program. These reports shall also be posted on the office's website.

(j) The office or program administrator shall contract with a qualified and independent entity for the preparation of a performance audit to be completed by the end of the third full year of the program. The audit shall be submitted to the community affairs and education committee and shall be posted on the office's website.

(k) The Indianapolis pre-k advisory commission is hereby established. It shall be composed of five (5) members, four of whom must have expertise in early childhood education. The fifth member shall be a parent of a current or former program participant. The council shall appoint three (3) members, including the parent member. The mayor shall appoint two (2) members. All members shall serve two-year terms. The purpose of the commission is to evaluate the design and operation of the pre-k program and to make periodic recommendations to the office and the program administrator on how the program could be improved.

SECTION 5. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

SECTION 6. This ordinance shall expire on December 31, 2020, unless re-authorized by the council prior to that date.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor McQuillen stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillors Pfisterer and Moriarty Adams in memory of Ronald L. Mosier; and
- (2) Councillor Miller in memory of Lucy Rockstrom; and
- (3) Councillor McQuillen in memory of David Egts; and
- (4) Councillor Adamson in memory of Jane Bowling; and
- (5) Councillors Lewis and Mansfield in memory of Zeff A. Weiss.


Councillor McQuillen moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Ronald L. Mosier, Lucy Rockstrom, David Egts, Jane Bowling, and Zeff A. Weiss. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:34 p.m.

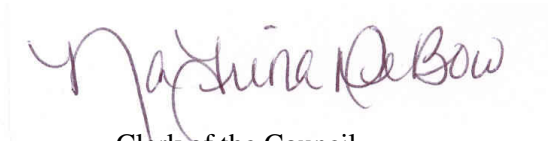
December 1, 2014

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 1st day of December, 2014.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.


President

ATTEST:


Clerk of the Council

(SEAL)